

CENTRAL INTELLIGENCE AGENCY REPORT NO. [REDACTED]

INFORMATION REPORT

CD NO. [REDACTED]

25X1

DATE DISTR. 3 MAY 1951

NO. OF PAGES 2

NO. OF ENCL. (LISTED BELOW)

SUPPLEMENT TO REPORT NO. [REDACTED] 25X1

COUNTRY

USSR

SUBJECT

Soviet Justice

PLACE ACQUIRED [REDACTED]

DATE ACQUIRED BY SOURCE [REDACTED]

DATE OF INFORMATION [REDACTED]

25X1X

25X1

Fundamental Features of Democratic Justice

Soviet Principles of Administering Justice

1. Relativism and Terrorism
2. Principal Protective Measures
3. Duties of a Denouncer, Collective Responsibilities, Judging by Analogies and the Backward Operation of Law. Worldwide Reach of Soviet Justice.
4. Soviet Humanitarianism and Justice
5. The Outgrowth of Extra-Judicial Justice
6. Espionage and Trotskyism
7. The Justification of the Economic System
8. Conclusions

III. Organizations Administering Justice Techniques of Investigations and Court Procedures

1. Judicial Organization
2. MVD
3. Methods of Arrests
4. Investigations
5. Prisons
6. Judicial Channels

3 MAY 51

3 MAY 51
Soviet Justice

25X1A

25X1A

CONFIDENTIAL/US OFFICIALS ONLY

-2-

IV. Executing Sentences

1. Kinds of Punishment
2. Death Cells
3. Deportation
4. Railroad Transportation
5. Deportation Prisons
6. Separation Camps
7. River Transport
8. Living Conditions and Work in Prison Camps.

V. USSR Peoples Prison

1. "It is Only a Change in Name"
2. Camp Organizations
3. Number of Prisoners

VI. Conclusions

-end-

ILEGIB

CONFIDENTIAL/US OFFICIALS ONLY

25X1

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

CONFIDENTIAL
US GOVERNMENT USE ONLY

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

Table of Contents.

- I. Fundamental Features of Democratic Justice
- II. Soviet Principles of Administering Justice
 - 1. Relativeism and Terrorism
 - 2. Principal Protective Measures
 - 3. Duties of a Deauncer, Collective Responsibilities, Judging by Analogies, and the Backward Operation of law. The World Wide Reach of Soviet Justice.
 - 4. Soviet Humanitarianism and Justice
 - 5. The Outgrowth of Extra-Judicial Justice
 - 6. Espionage and Trotskyism
 - 7. The Justification of the Economic System
 - 8. Conclusions
- III. Organisations Administering Justice
 - Technics of investigations and court procedures
 - 1. Judicial Organization
 - 2. MVD.
 - 3. Methods of Arrests
 - 4. Investigations
 - 5. Prisons
 - 6. Judicials Channels
- IV. Executings Sentences
 - 1. Kinds of Punishment
 - 2. Death Cells .
 - 3. Deportation
 - 4. Railroad Transportation
 - 5. Deportation Prisons
 - 6. Separation Camps
 - 7. River Transport
 - 8. Living Conditions and Work in Prison Camps
- V. USSR Peoples Prison
 - 1. It is only a Change in Name!
 - 2. Camp Organizations
 - 3. Number of Prisoners
- VI. Conclusionx

25X1A

CONFIDENTIAL/US OFFICIALS ONLY

Table of Contents.

- I. Fundamental Features of Democratic Justice
- II. Soviet Principles of Administering Justice
 - 1. Relativeism and Terrorism
 - 2. Principal Protective Measures
 - 3. Duties of a Deauncer, Collective Responsibilities, Judging by Analogies, and the Backward Operation of law. The World Wide Reach of Soviet Justice.
 - 4. Soviet Humanitarianism and Justice
 - 5. The Outgrowth of Extra-Judicial Justice
 - 6. Espionage and Trotskyism
 - 7. The Justification of the Economic System
 - 8. Conclusions
- III. Organisations Administering Justice
 - Technics of investigations and court procedures
 - 1. Judicial Organization
 - 2. MVD.
 - 3. Methods of Arrests
 - 4. Investigations
 - 5. Prisons
 - 6. Judiciale Channels
- IV. Executings Sentences
 - 1. Kinds of Punishment
 - 2. Death Cells
 - 3. Deportation
 - 4. Railroad Transportation
 - 5. Deportation Prisons
 - 6. Separation Camps
 - 7. River Transport
 - 8. Living Conditions and Work in Prison Camps
- V. USSR _Peoples Prison
 - 1. It is only a Change in Name'
 - 2. Camp Organizations
 - 3. Number of Prisoners
- VI. Conclusionx

25X1A

 CONFIDENTIAL/US OFFICIALS ONLY

SOVIET JUSTICE

25X1X

PART I

Fundamental Principles of Democratic Justice

For a more accurate comprehension of basic Soviet justice, it is necessary to understand the basis of justice existing in democratic countries. This is indispensable to obtaining a comparative background.

In democratic countries, the first and fundamental condition of true justice is the principle, that justice must satisfy the following stipulations:

1. The court is equal for all. It serves to administer justice. It cannot be the tool of the governing group, nor can it serve the interests of one social group.

2. The court is independent in both, it's structure and it's activity, from the governing agent.

These two principles are the fruits of many centuries of tradition, developed from the basic Roman laws, modernized and bettered as a consequence of Christian influence on our conceptions of morals and justice.

According to the, the fundamental principle of Christian justice is individual freedom. Everybody is personally responsible to God and earthly justice for all of his actions. He is answerable, regardless of his social position, financial status, or connections. He is not responsible to any private individual, but to clearly formulated laws.

The law is the property of the community, and serves the community.

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1
The most vivid example of just such a conception of justice is

the United States of America, who in its constitution separated wholly the judicial authority from the executive. In this way, it clearly guarantees its citizens full freedom, since there is a balance between the judicial and executive powers. Any American citizen can sue anyone, even the President and obtain a just verdict.

Other democratic nations have the same principles of law, and if they differ in anyway from the American, then it's only in minor details which do not annul personal liberties of all civilized countries.

Besides these principles, others exist, which in short are:

1. To judge, it is necessary to prove guilt.

2. The law must be humanitarian.

3. There is no collective responsibility.

4. It isn't permissible to set a punishment as a frightening example/it isn't allowable to judge an individual as an example to others.

5. There is no crime if a law is not broken. The analogy is admissible only in civil law.

6. The law is not retroactive. No one can be punished for acts committed prior to the enactment of a law prohibiting such acts. By the same token, no one can be punished for a crime committed during the existence of a law, if that law has since been repealed.

7. It is not permissible to try a person for the same crime more than once.

The question is, do these same principles exist in the Soviet law?

For the basis of analysis, I take the criminal code of the Union of Soviet Socialist Republic council. This was issued in Moscow, in

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

1941, by the 'Juridiczeskoje izdatielstwo Nauk. Sojuza SSR' (Lawyer's Publishing Co., Supreme Court of the Soviet Union), the Criminal Conduct Code 'Ugolowno Processualnyj Kodeks RSFSR', and the constitution of the USSR which was published in 1936 and is universally known as Stalin's Constitution.

In certain republics, different criminal codes exist, but they differ only in the number of articles, so that the code of the RSFSR is decisive for all of the USSR.

25X1A

CONFIDENTIAL/US OFFICIALS ONLY

PART II

SOVIET PRINCIPLES OF ADMINISTERING JUSTICE

CHAPTER I

Relativeism and Terrorism

The foundation of Soviet justice, as it's entire system, is relativeism. It manifests itself in the principle of Lenin, the founder of Communism, that: 'The courts are the instruments of the proletariat authority and the working country-man.' This motto is the slogan in all court rooms, and is hung above the heads of the judges, for all to see.

On the other hand the continuous inconsistency of the standards for dispensing justice, changing time after time, depending on the political lines and party tactics, confirms this assertion.

The famous - 'most progressive and liberal constitution in the world' prepossesses this in the juridical sense that the first articles of this constitution read:

Art. 1. The USSR is a socialist government of the working and peasant classes.

Art. 2. The political foundation of the USSR is created by a working class delegates' council which grew and amassed, with the resultant overthrow of the landowners and capitalists, and the attaining of a proletariat dictatorship.

The consequence of such principles of the USSR structure, and the specifically quoted Lenin principle of justice, is the first article of the RSFSR criminal code.

'The criminal legislation of the RSFSR has as it's task, the protection of the socialist workers and peasants

25X1A

CONFIDENTIAL/US OFFICIALS ONLY

order, from the

socially dangerous acts practiced before individuals, which having been committed, can be counteracted with measures of social protection listed in the aforementioned code."

From the above articles of the constitution, and the criminal code, is this clear issue: the principle of free courts does not exist in Russia, but the worker-peasant class authorities have jurisdiction over administering justice. There is no justice for anyone other than the privileged class, justice serving as a tool of protection for the common group, and for that reason it cannot be said that Soviet justice has for it's goal the discovery of objective truths, which is the principle of administrative justice.

In Soviet courts, no one appeals to anyone else for evidences of truth. Investigative techniques and court procedures depend on principles of confessions of guilt, and repentance.

To the question of the accused as to why ~~if~~ he is being charged, the regulation answer is: "We will not tell you. It is up to you to confess, self-accuse, and repent".

The Bolshevik courts are instruments of the proletariat and worker-peasant in the battle against the bourgeois and capitalistic world. The Russian government uses the courts as tools of terror relative to class distinction. The entire judiciary and penal apparatus in the USSR is set up to exterminate enemies of the proletariat, and above all, enemies of Russia. It's terroristic character depends on this.

The above ideals and principles of law manifest themselves even in court techniques, and the nomination of Bolshevik judges. Even the lowest court judges are chosen or appointed for a short period of time, and they are frequently functionaries of the MVD, which is the invest-

25X1A

igating organ. Obviously, under these circumstances, the motions presented by the public prosecutor, must reach the ear of a sympathetic and obliging judge.

The terroristic character of Soviet courts manifests itself in the total lack of discrimination between the categories of crimes pursued by the public prosecutor, and those crimes under private investigation. A necessary basis for judicial investigations, and immediate application of preventive measures, including imprisonment, is every informer's report, even though it may be anonymous.

This terroristic character of Bolshevik justice is more clearly and realistically shown in the formulation of legislative comprehension of the crime of counter-revolution. This category of crime is dealt with in art. 58, which is the most formidable of all the articles in the Soviet criminal code.

This article begins in the following general formula:

"Counter-revolution is considered to be every deed, directed to the overthrow, uprising, or weakening of the authoritative council of the worker-peasants, and elected by them, on the basis of the Constitution of the USSR and the constitution of the governing republic, the government of the worker-peasants of the USSR, united and autonomous republic, or to rebel against or weaken the internal security of the USSR and the principles of economic, political and national conquerors of the proletariat revolution. Through the strength of international solidarity of interests in all workers, all such actions are also considered counter-revolutionary, if they are aimed against any other worker's states, even though they do not belong to the USSR."

After this introduction in 14 paragraphs (paragraph 1 has 4 sub-paragraphs), individual types of counter-revolutionary activities are

25X1A

CONFIDENTIAL/US OFFICIALS ONLY

defined, among which evident acts of treason and espionage can not awaken any kind of reservations. On the other hand, paragraph 14 of the aforementioned article has the unusual distinction of being a regulation in the Bolshevik criminal code which, in every instance or circumstance, can be applicable to every citizen.

Here is it's contents:

Art. 58 Par. 14. - 'Counter-revolutionary sabotage, that is, a conscious disregard of duties assigned by anyone, or purposeful carelessness in their performance with the main purpose of weakening the governing authority and the effectiveness of the state's apparatus, has as a consequence - loss of liberty for a time not less than 1 year, confiscation of all or part of property, with adaptations of more severe punishment for particularly extenuating circumstances, to the highest medium of community protection - death and confiscation of wealth.'

If it is taken into consideration, that in Russia, all phases of life are under state control, all inaccurately performed duties ~~and~~ can be considered, and in practice are considered, as counter-revolutionary sabotage, and are judged by par. 14, Art. 58.

In the administration of punishment, the Bolshevik code often considers confiscation of property. If it is noted how difficult it is to acquire anything in Russia, such as a decent suit, a watch, to say nothing of a little home or furniture, - then it stands to reason that confiscation of property, notably of a family of moderate means, is nothing more than application on a large scale, an easier form of collective responsibility.

25X1A

CONFIDENTIAL/US OFFICIALS ONLY

CHAPTER II

Principles Measures of State Protection

When we begin to consider principles of law, and the need to comply with them and their punishment, then we come to the conclusion that our opinions regarding the reality of the punishment are divided. Some people consider punishment as nothing more than a certain type of re-quital or payment to society for breaking society's laws. Simply stated, it is the revenge of society for committing an act incompatible to morals and ethics of the society in which the criminal lives.

Others contend with the assumption that society does not have the right to demand punishment on the principle of revenge. Society itself is to blame because it did not give the offender the possibility to live honestly. Instead of punishment they propagate the principle of prevention and the education of citizens, and regarding offenses, to adapt community protective measures. In the theory of law, this principle is known as Ferri's theory.

Both of these opinions have their disciples and their opponents, in general however, there is a sound prevailing principle of applying laws as a means of protecting society.

Russian law - in its assumption - likewise steers itself to the principle of community protection. With its peculiar 'drive', and in consequence of its exceeding ~~ignorance~~ ignorance of the ~~essence~~ essence of this theory, brings this principle to criminal absurdities.

In its penal legislation, Russian law admits measures of community protection towards persons who have not committed a crime or offense, but who can, or is in a position to commit an offense.

Art. 9 of the criminal conduct code plainly states when community protective measures are applicable:

1. Prevention of new offenses which may be committed by persons

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1
who had already perpetrated a crime.

2. Influencing other wavering members of society.
3. Adjusting perpetrators of criminal acts to conditions of community life in a worker's nation.

Preventive measures are divided into 3 categories; a) community protective measures with a judicial-corrective characteristic, b) medicinal characteristic, c) medical-corrective, that is mixed. The application of these measures are prudently set forth in suitable articles of the criminal conduct code (Art. 20 - 25).

Community protection through judicial corrective measures adapts itself thru: a) compulsory expulsion from the USSR as an enemy of the working classes, b) deprivation of freedom in correctional work camps, c) deprivation of freedom in prisons, and at last as the supreme measure of defense, d) a sentence of death before a firing squad. This last is temporarily suspended (at least in theory). *U.S. to 1.2.15. and 1.2.16. 1950*

In practice, the application of all these community protective measures in 99% of the cases, leads to imprisonment in concentration camps located in the remote regions of Siberia and Northern European Russia, as well as a sentence of death.

When the punishment 'expulsion from the USSR' is considered, it would be treated by the condemned not as a punishment, but as a highest reward, if it were applied more often. Unfortunately, the history of Soviet justice can boast of scarcely a few instances of applying this paragraph in practice. They can be counted on the fingers of one hand: The exile of Trotsky, a few Polish officials of the Ministry of social welfare in 1942-3, and the latest banishment of the well known, through her pro-communistic convictions, the American writer Anna L. Strong.

At first sight, it would seem that a similar chapter for applying preventive measures exists in democratic countries. That is however,

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

CONFIDENTIAL/US OFFICIALS ONLY

The democratic administration of justice sets as its ~~supp~~ aim the disclosure of objective truth. It cannot therefore, base the administration of punishment, solely on the principal of preventive measures. A condition for applying preventive measures is the removal of evidence that the suspect is, or can become a menace to society. This is a clear cut affair, and is readily conveyed, if it can be applied helpfully with adequate legal medical advice, supported by elements of professional opinions. That is a stipulation of applying community welfare defense measures, and even democratic law is extremely careful in the application of this law. The American laws are especially careful, and in many instances, stipulates that a measure for community protection can be abolished in cases that have distinct symptoms of improvement. In democratic countries, this theory applies only to criminal cases. It is not permissible to apply this theory to an offense of an idealistic-political nature.

Democratic nations are guided by the everlasting principles formulated in the short but full essence of the five freedoms. Being guided by them, they cannot conform to the theory of applying community protective measures without restrictions, as it couldn't be reconciled with objectives, or with respect of personal liberty, or even with free thought. The result of applying this principle is the compulsory restriction of creativeness and individual development. We know full well that individual development is the foundation of humanity's development. The application of this principle is possible solely in a dictatorship. It is possible only in Soviet Russia, where the theories of a proletariat dictator, and the practices of a dictator's clique use the pretext of justice, which they themselves define, as 'a toll of the regime in power and a means of protecting one class.' Only and exclusively, in a

one-party dictatorship, in which justice is defined as being a tool of the reigning political system, the theory of community protective measures may have - and unfortunately has - it's own application. The very definition, that the Soviet is a state of laborers and peasants, is the basis for the courts to judge as to who is a danger to the common welfare.

The next point in Art. 9 expects to use punishment as a means to 'strengthen wavering members of the state'. Who are the wavering? Well, let's try to define it: a wavering member is one who is subject to doubt that all that is submitted as truth by the government - is right.

The next paragraph metes out punishment, not because a person is guilty, but to 'adjust offenders to life in a worker's state'.

In paraphrasing the legal terms, the entirety of this unusual principle is as follows:

'We will educate you as we see fit, and as is convenient to us. If you don't like it, and if you show any signs of individuality, or betray even the slightest capacity for argumentation, you will be sent to prison.'

It is indicated again: Laws are the tools of terror, and subjective education of the masses.

The law had changed itself into a tool of collective revenge of one class over another!

25X1A

CONFIDENTIAL / US OFFICIALS ONLY

Duties of a Denouncer, Collective Responsibility, Judging by Analogies, and the Retro-active Operation of Law. The World wide Reach of Bolshevik Justice.

In order to aid the machine that is responsible for terroristic acts and the 'overseer' of it's tasks, the farsighted Soviet judicials incorporated articles and paragraphs which practically force all the citizens to cooperation with the investigating and judicial organs. A number of paragraphs exist, which make it imperative for the citizens to act as policemen and spies, and the obligation of denunciation. Lack of cooperation is punished.

Vindictiveness, the lowliest trait of people standing at the lowest level of development, found it's place in suitable rules which seem to make laws work retroactively.

The paragraph dealing with the right of judging by analogy, extends the possibility of lifetime punishment.

So that there wouldn't be any doubt that Soviet law is the tool of the rulers, and inexorably prosecutes all antagonists, there is a law which authorizes Soviet justice to act over the whole world.

The famous Art. 58, par. C says:

"In the event of desertion of military personnel, and flight across the borders, all members of his family who are of age, and have aided in the preparation or completion of the treasonable act, or who have been aware of it, and have not informed the authorities, are sentenced from 5 to 10 years imprisonment and confiscation of all property! All mature members of the traitor's family who have lived with him, or have been supported by him at the time of the offense, are liable to loss of voter's rights and deportation to the remote regions of Siberia for 5 years"

The man who is at the moment in no treat not only because it

CONFIDENTIAL/US OFFICIALS ONLY

25X1A

orders the denunciation of members of your own family, (democratic laws allow the privilege of not testifying against relatives) but also because it automatically calls before the bar, and sentences all members of the family, whether guilty or not!

This is a typical example of collective responsibility that is so characteristic of a totalitarian organization. Let's not forget the perfect principles of German justice which sentenced millions to death for being members of a certain race, nor forget the deaths of millions of families, just because one member of the family fought against Naziism. Such a law exists now in Russia. Russia adapted that law in a somewhat different form.

We didn't want to believe this, until the time that a great number of soldiers had personally seen the brutality of camps like Buchenwald and Dachau, and we don't want to believe the reality about Russia even now. But it is a fact! A fact established by law!

An average person, accustomed to the orderly laws of a democracy, cannot comprehend this type of lawlessness which has a legal form. We cannot believe, that for example, a person who had lived with his family and had been a deserter from the army (in Russia, this is comparable to treason), that his entire family, parents, relatives, and even ~~sometimes~~ a sub-tenant are sent to prison, the family is for all time separated, and even infants are punished since they are denied parental protection and are sent to orphanages where they are trained as robots, ~~with~~ without heart or soul, without sentiments and other habits of the 'rotten bourgeois'.

Art. 58 is the most widely used article in the Soviet. At least 80% of all prisoners are sentenced on it's basis.

Being an inmate of many prisons and labor camps, I often asked my fellow prisoners the reason for their being sentenced. The answer was

short: "family member". That is a very commonly met 'crime' and isn't even commented on by prisoners of Soviet birth, since that is a thing taken for granted and isn't worth mentioning. This was strange only to the Western peoples, as they couldn't comprehend this principle of 'justice'.

Since being related to an offender is an offense in itself, and is punishable by trial, it isn't at all odd that communistic zeal attempts to apply these principles not only in the courts, but also in every phase of life. After all, Soviet law expects and teaches the 'extermination of class enemies'. Every right thinking Communist, every step of official organs, and every office is authorized to practice the art of extermination. In Russia, there has been established a custom of hereditary and collective responsibility which is not encompassed in the framework of the code, but found in written orders from the ruling powers.

On the information sheet of every prisoner or suspect, following the general rubrics regarding name, age, and profession, follows a question not found anywhere else in the world: social extraction (socioproizchozzenije). It isn't found in countries half feudalistic, but is found in the country of 'social equality'. If a prisoner finds himself in the unfortunate position of having a father who was any sort of a proprietor or, God forbid, a state official, there is no power which could wrest him from the clutch of the MVD. After all, the law defines him as being an 'enemy of the classes'. Your father was an enemy, so that makes you an enemy.

To this day, there exists in Russia, a special class of 'licentees' that is, scraps. There aren't many, it is true, because they were weeded out by decree. These few are former proprietors, their families and their descendants. They are deprived of all citizenship rights, and do not even have the right to serve in the army.

During the period of intense liquidation of 'enemies of the state', 1930-32, the newspapers were full of personal proclamations in which sons renounced their fathers, etc. Later these proclamations somehow vanished.. Evidently they didn't do any good.

The principle of collective responsibility in international aspects is also seen in the Soviet code. I have already cited the beginning of art. 58. It's last sentence reads: 'Through the might of international solidarity of interests of all workers, counter-revolutionary acts are also punished, if they are aimed against any other worker's states, even though they are not encompassed in the USSR'.

Paragraph 4 of this article reads:

'Evidence of any help to that part of international capitalism, which does not recognize the equality of rights of the communistic system which will replace the capitalistic system, and hastens to overthrow it, likewise.....recognition of enemies of the USSR efficiency carries the possibility of loss of liberty for a period of time to be not less than 3 years, on to the highest measure of state protection, death before a firing squad together with...etc.'

The prescribed code does not only concern Soviet citizens, but also all those who may at some time find themselves in a sphere of influence of Soviet authority. Of course opposition to the organization of a communistic structure is punishable. For example, the fact that at one time you paid taxes proves that you supported the capitalistic structure, so you are an enemy and subject to punishment.

In order to make certain that all opposition is unforgotten and punished, the farsighted Soviet law has in reserve still another characteristic paragraph, which like the others, conflicts with the principles of democratic law. This is par. 13, art. 58.

It upsets the eternal and righteous Roman principle: 'Justice is

25X1A

not retroactive' /lex retro non agit/.

This paragraph, translated in lay language for the better understanding of the reader, reads more or less as: If at any time you had ever done anything incompatible to Soviet law (eg. you served in the American Army, therefore you upheld the capitalistic organization), even though you had acted according to the laws of your country, you were responsible to the laws existing in Russia. The excuse that you knew nothing of this law, just as you are ignorant of the laws on Mars, is not accepted. You will be tried, because after all, the laws are written to be abided by. Par. 13 exists for all the world, and foresees 'measures for community protection' in the form of death before a firing squad, with confiscation of property as an added possibility!

That isn't all. It may happen, that in spite of such far-reaching laws already cited, a certain action may take place which will not be qualified to be listed as an offense (despite the existence of Par. 14). Could it be possible that there is a chance for the accused to be set free? Well, let's see what Art. 16 of the criminal code of the RSFSR says.

'If this, or any other act which jeopardizes community welfare is unforeseen in the code, then the basis and sphere of responsibility for it is determined by those articles of the code which deal with acts similar to the one in question.'

No other criminal codes in the world allow judging by analogies. This stems from the spirit of the old Roman principle, that there is no crime if a law is not broken. Democratic law plainly states that a person is subject to punishment, only if a law forbidding such acts, exists during the commission of such an act.

If the Bolsheviks adapted this principle, it might happen that many people would be freed from the threat of arrest. They don't want

25X1A

this to happen. The law has to be feared.

Does this law have practical applications? Obviously!

Personally, I was sentenced, among other reasons, that to the question of the judge that as a Polish soldier would I fight against Soviet Russia I answered, "I would have fought had I been so commanded". That answer was underlined in my verdict as proof of my unwillingness to adjust myself to communism. Hundreds of thousands of Polish officials were sentenced to years of imprisonment for performing administrative functions in Poland, during its independence. Thousands of police were shot without benefit of trial simply because they were police, and therefore, guardians of the capitalistic organization. For proof of this statement, I offer the name of one camp in which 5,000 police were imprisoned during 1939-40, from which none is left living: Ostaszkow, near Wologda.

Punishment is meted out for the acts of your father and forefathers, and for the fact that you are living in a non-communistic world.

- 18 -
CHAPTER IV

Soviet Humanitarism and Justice

The Bolshevik anti-humanitarian administration of justice is seen in:

- a) the procedure with infants, children, and women,
- b) the treatment of political prisoners,
- c) the isolation of the prisoner with regard to his family,
- d) the procedure dealing with pardons from the death penalty,
- e) the investigating methods, and
- f) organization of prisons and slave labor camps.

Children and youths do not constitute any special exceptions when the administration of justice is considered in the USSR. The criminal code treats these affairs short and concisely, devoting two articles to them in its general part. Art. 12 of Part III, entitled 'General Principles of Penal Policy', establishes that:

"Minors that have reached the age of 12 and are under suspicion of committing robbery, perpetrating an outrage, doing bodily damage, crippling, or committing murder will be subject to trial with applications of all types of punishment".

Art. 25 of Part IV, when speaking of protective community measures, in the first place mentions:

"returning minors to the custody of parents, guardians, trustees, relatives, if they have the power to restrain them - or other individuals or institutions".

More frightful than the letter of the law to sentenced children, is the actuality of the sentence. I'll return to that later.

Equality of rights for the Soviet woman is seen in her treatment regarding the administration of justice on an equal basis with men. The result of this is cynicism and shamelessness in procedures with w/ the

25X1A

female prisoner, in methods of investigation, the brutality of administering punishment, and it it's execution. Pregnancy and care of an infant does not enter into the distribution of punishment. The penalty of death is applied with the same ruthlessness in regards to a woman as a man. The sick and the aged are treated just as ruthlessly. The only exception established for pregnant women and those under 18 years is that the death sentence can not be applied to them /art. 22 of the criminal code/.

An political or counter-revolutionary prisoner of the Soviet is treated a great deal worse than a common criminal. This favoring of criminals was not only established through practice, but it results from the principles of collective responsibility. If the father of a criminal was not a proprietor, then by reason of his proletariat descent, he is considered a victim of the capitalistic system, and for that reason merits leniency from the proletariat courts.

A prisoner in Russia is denied the privilege of communicating with his family not only during the time of investigation, but even during his entire prison term. He cannot even let them know he had been arrested, or to what prison he is confined.

The Soviet prisoner has no possibility to complain of abuses practiced by the prison superintendent or the investigating organ. Every complaint must go through the prison chief, and the prisoner can not check whether it had been delivered. If it should happen that a procurator visits the cell block, then no one will be so thoughtless as to voice a grievance that had not gone through the prison chief.

Actual loss of citizenship rights does not start when a verdict is handed down, but from the moment of arrest by the MVD.

During the time of investigation, the most brutal methods are used to force a confession. These methods do not yield in anything, and in

25X1A

some cases surpass the notorious methods of Hitler.

Particularly glaring anti-humanitarianism is seen in the procedure and treatment of the prisoner sentenced to death. Anticipation of a pardon while waiting for confirmation of the verdict may last months. The prisoner is kept in the death cell all this while, in an atmosphere conducive to madness.

So called reformatory labor camps, and in particular concentration camps, - disregarding difficult climatic conditions - are so organized that only those prisoners that have a strong physical construction can survive in them for any great length of time. The main task of these labor camps is the mass biological extermination of enemies of the communistic party.

25X1A

The Outgrowth of Extra-Judicial Justice

The farsighted and far-reaching Soviet law, which even foresees the application of Soviet laws on terrain not yet embraced with Soviet 'justice' is not the only organ of judgment in the USSR. An institution which is mightier and more formidable than the law and constitution combined exists in the USSR. This institution is known as 'Ministerium Wnutennych Diel' - The Ministry of Internal Affairs - the last incorporation of the notorious 'Czeka'.

In spite of Art. 112 of the Soviet constitution which establishes that 'judges are independent, they are subject only to the laws', the court with its rules is not the principal institute dispensing justice. At least 90% of the 'justice' meted out to political prisoners is in the power of the MVD, beyond the realm of the court.

The MVD is the communistic vanguard of armed revolution and Soviet rule, and keeps an eye on the political trend of thought of its citizens, regardless of whether they are members of the communist party, the military, or government officials. The MVD received legal recognition from the Executive Central Committee of the USSR, which although being unconstitutional, nevertheless in general practice has more meaning and is more important than the legal courts. The practice of extra-judicial justice is more wide-spread and more severe than the legal kind of justice.

The democratic structure also has its extra-judicial justice - the administrative. However, the administrative fines are so unimportant, and comprise only a small category of offenses that only a small percentage of people are concerned with the existence and activity of this organ. Minor traffic violators, inebriated disturbers of the peace, and creator's of a public nuisance feel the activities of administrative

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1
laws through the payment of a fine, or a day of arrest.

The Soviet method of administrative justice is so universal and handles such a wide sphere of offenses, that the greatest percentage of the convicted is through the efforts of the MVD, and these sentence range for many, many years.

The practices of the MVD were never, in any place, publicly proclaimed and no one, with the exception of a small group of the Politbureau and the heads of the MVD, knows their extent and what areas it comprises. They are so extensive and so special, that they decide over life in the USSR.

Even though ~~know~~ one has heard of, or doesn't know what these practices are, it does not prevent the authorities from punishing the people for their violation. And that is 'law'. Soviet jurisdiction does not say that in order to acquire legal power of authority it is necessary to publish the fact. Why should it?

Soviet legislation does not clearly define the difference between a law and a disposition or order. In the West on the other hand, a disposition must be supported by a law ~~binding~~ the power, and must be publicized.

The practical consequence of this principle of Soviet legislation is that the entire administrative subordinate activity ~~is~~ not objective rule, but a political aim.

The might of the MVD, and it's terroristic character, is based on these peculiarities of Soviet legislation.

It is clear that this activity is an illegal one which endows Soviet justice, and the entire communistic system, an absolutely reactionary character.

We do not know the rules which the MVD follows, but we do know the results of their 'labor', and these enable us to put forward the asser-

25X1A

- 23 -

tion, than ~~not~~ the courts, but the MVD is the main institution of dispensing justice.

ESPIONAGE & TROTSKYISM

The Russian Authorities came to the conclusion that it wasn't enough to deal with espionage in the criminal code, so they inserted the means of fighting it in their Constitution. Art. 133 of the USSR Constitution (1936) reads as follows:

"Treason, breach of oath, going over to the side of the enemy, causing damage to the military power of the nation's espionage system, are punishable with the full severity of the law, as the greatest crime".

Art. 58, par. 1A and 1B of the criminal code states the maximum punishment for crimes specified in Art. 1, 2, and 3 ~~fix~~ of the Constitution. This is clear and understandable, and would need no discussion were it not for it's applications in specific instances during the existance of these particular articles.

The specific naming of the espionage and sabotage act in the Constitution, and it's enforcement, created a special complex regarding ~~sabotage~~ ^{espionage}. The result of this complex is the indubitable fact that in no other country in the world are there so many sentenced for ~~sabotage~~ ^{espionage} as in Russia. (And, unfortunately, do we know as little about any country as we know about Russia). Industrial ~~sabotage~~ ^{espionage} is dealt with the same as the military, and there is no difference in the punishment. This complex brought about the conclusion, that in the eyes of the law, every alien who is not a ~~saboteur~~ ^{spy}, is at least a candidate, and sooner or later, will become one. While in prison, I did not meet a single alien who did not have a paragraph dealing with espionage affixed to his verdict. Nearly all Russians having contact with aliens, even accidental, are in slave labor camps as spies. Personally I was sentenced ~~else~~ ^{as} ~~else~~ ^{as} and that because I was a messenger of the French intelligence, together with General Si-

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1
korski's band, and in contact with the English-American counter-intelligence (sic!), strived to overthrow with force, the Soviet organization". I personally knew a Soviet engineer who was imprisoned in a slave labor camp for many years, because he had bought an arithmetic book from a German consulate official for 50 rubles (about 10 dollars). He was sentenced to 6 years imprisonment. The verdict was motivated because 'the sum was so small, that there is no doubt that he must have given secret information in addition to the money'. He was sentenced by the MVD, and the official charge was, 'suspected of espionage'. I could name hundreds of such cases.

Another morbid complex of Soviet Justice is Trotskyism.

The official Bolshevik doctrine defines Trotskyism as a radical leftist doctrine, depending on a program of permanent revolution, supported on one side against capitalis, and from the other side against extremennationalism. The theoretical difference between the opinions of Trotsky and Stalin depende on this, that Trotsky held out for the first plan for world revolution, holding Russia as an example, internal strife in capitalistic countries. Stalin resolved to create socialism in one country, which having been accomplished, he would have started a revolution relying on his army.

The interpretation of Trotskyism by the MVD is very extensive. For the MVD, a Trotskyite is not only a follower of Trotsky, but he is in fact every Communist and non-Communist who does not adhere to the political line of Stalin. All foreign Communists who do not acknowledge the authority of the Cominform, or have no contact with it, are Trotskyites, and sooner or later, at the earliest possible time, find themselves imprisoned. I frequently met hundreds of Poles, Ozechs, Rumanians, and Hungarians, who were true Communists, and

Incidentally, I can add that Soviet legislature passes out extremely high sentences for crossing the border, regardless of whether it be leaving or entering Russia. Leaving Russia is considered treason, and can be punishable by death. Illegal entrance into Russia is punishable by not less than 3 years imprisonment in a slave labor camp. More often than not, the sentence is from 5 to 8 years, which is tantamount to a life sentence.

This complicated Soviet justice is the reason for the Iron Curtain.

CHAPTER VII

The Justification of the Economic System

The practical application of all these laws, and above all, the extra-judicial justice is the cause of the imprisonment of from 10 to 15 million person in ~~the~~ Soviet Russia. This huge army of common slaves is forced to labor for the benefit of the organization, literally for a piece of bread, and constitutes a great factor in the economic system of the Soviet. It very radically solves many economic problems, so I'll only name: a) the dumping of political traffic on foreign markets, b) the unemployment situation, and c) the development of backward lands. The cheapness of labor permits competition in the world markets. Since it has been in force, modern slavery has helped solve a problem that has always been a difficulty for capitalistic countries - the unemployment problem. The lack of laborers is being felt in Russia, and they are forced to an ever greater reach into the woman's reserve. Women are employed in ever widening spheres of labor.

This great demand on labor would bring about a great migration of laborers in a search for greater employee benefits and better pay, which in reality constitute better living and climatic conditions. To avoid this, Russian law forbids the voluntary change of residence and place of employment.

The rules governing punishment for tardiness and absenteeism are also very severe. The decree of 1940, with prudent foresight, states the severe punishment for leaving a place of employment, or being late for work. The law dealing with 'absenteeism' establishes the fine for missing one day of work, without a legitimate excuse, at a loss of 25% pay for a period of six months. A repetition entails a punishment of six months of labor without pay in a labor camp. A third 'absence' is tantamount to an act of industrial sabotage and is liable to art. 58

par. 14, and theoretically is punishable with the full penalty, including death, but in general practice a sentence of 8 years in a labor camp is meted out.

Besides imprisonment in prisons and slave labor camps, there is a widespread practice in Russia of forced migration of people, and even entire populations, to Siberia and Central Asia. This action is dictated by two motives: national politics, and economic plans for converting the Soviet into a compact European-Asiatic nation. For the realization of such a great rebuilding, a vast terrain has to be colonized. The needed colonists are recruited from the smaller nations as Poland, Lithuania, Korea, Usbeck, and above above all, the Ukraine. The official statistics of the Soviet show us that the lessening of the number of Ukrainians in the Ukraine from 1930-1940 to be greater than 10 million. It is true that in those years about 4 million died from starvation, but there had also been a natural birth increase, (one of the largest in the world), so that it can be boldly stated that within 10 years about 12 to 15 million people had been forcefully displaced from the Ukraine.

History is being repeated in the mass displacement of persons according to the examples of medieval and ancient times. The 20th century is reliving the epoch of slave traffic. It is happening in the 'most progressive nation in the world', which has the 'most liberal constitution in the world', and the 'most humanitarian law'.

25X1A

CHAPTER VIII

Conclusions

The conveyed analysis of certain points of the Bolshevik criminal code, and articles of the Russian constitution, which speak of the organs for dispensing justice, gives authority to draw the following conclusions:

The dispensing of justice in the USSR has nothing in common with the democratic principles of justice since:

1. It has a judicial relative characteristic, and in practice, above all, an administrative one.
2. It has techniques of authoritative execution.
3. It is a technique used for the realization of world revolution.
4. It is an activity regulating the demands of labor, indispensable to the discharge of extensive investigating duties organized through the state.
5. It is the reformatory-educating agency that has as its aim the ~~adjusting~~ adjustment of non-communistic persons to life in a worker's state.

25X1A

30
PART III

ORGANIZATIONS ADMINISTERING JUSTICE

Techniques of Investigations and Court Procedures

CHAPTER I

Judicial Organization

Art. 104 of the Soviet constitution:

'The final law court is the Supreme court of the USSR. It supervises the activities of all judicial organs in the USSR and the United Republics'.

Art. 103 of the constitution:

'Supervision over all court activity is performed at the direction of the people's assessor (narodnych zasiedatielej), excepting in the instances specifically set apart by law'.

Art. 112 of the constitution:

'Judges are independent, and subject only to the law'.

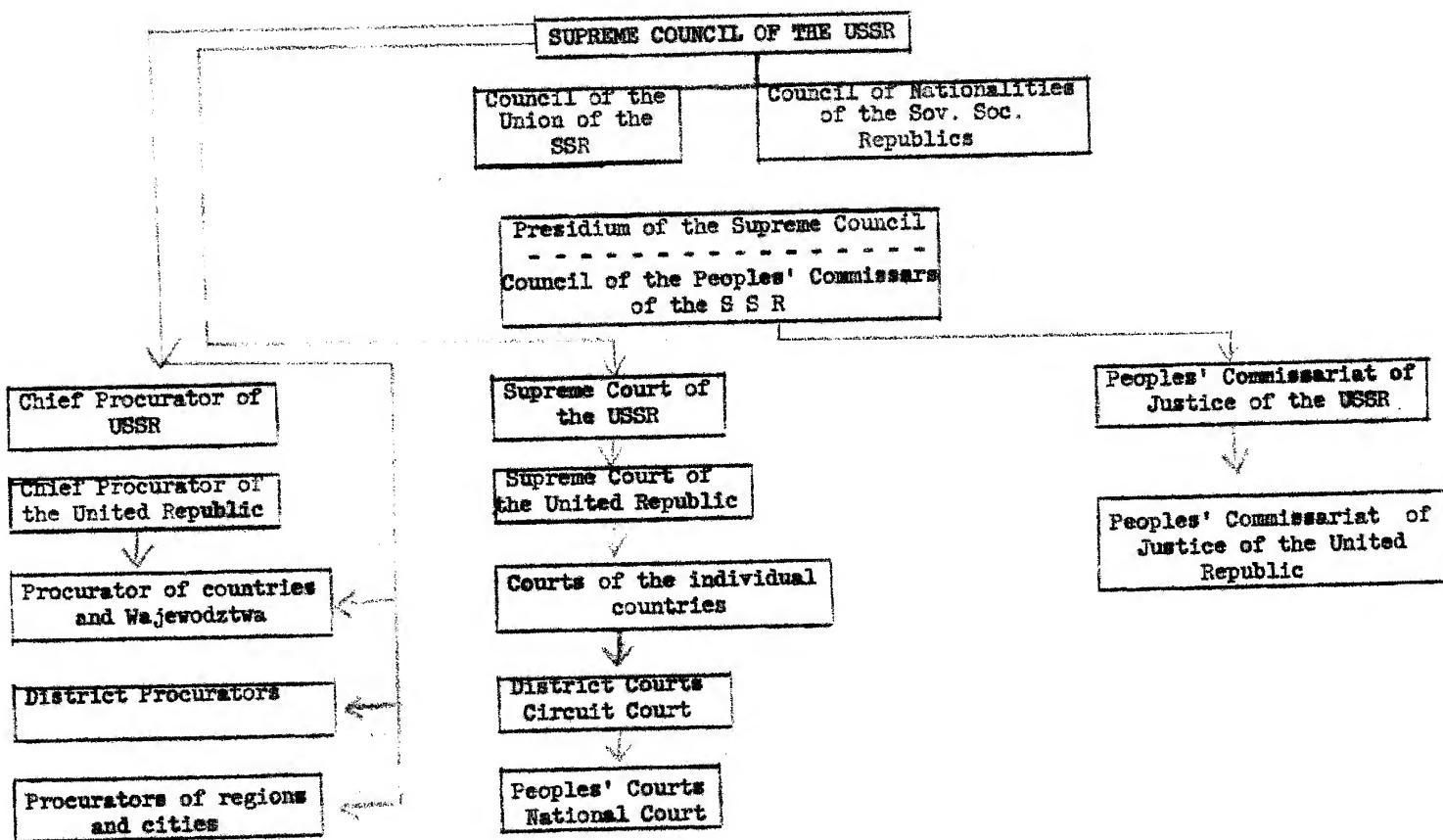
The autonomy of United Republic courts is preserved in the judicial authority organization. This principle however, does not apply to the appointment of a prosecutor. Prosecutors of Republics of the union have the right to appoint district prosecutors, and minor officials, but only with the approval of the Supreme Prosecutor of the USSR. Each Republic has individual criminal codes. This 'individuality' is seen in the numbering of the code with their identical contents in the RSFSR code.

The added table portrays the actual Soviet judicial organization

TABLE

25X1A

CONFIDENTIAL



CONFIDENTIAL

~~CONFIDENTIAL~~

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

REMARKS:

The Supreme Council of the Union or of the Republic, depending on the degree of the hierarchy, selects the Supreme Court for a five year term.

Territorial courts (country, oblast, and region) are selected by the proper councils of active deputies for a five year term.

Peoples' courts are established for a three year term by secret elections of the citizens of the particular regions.

The Supreme council of the USSR appoints the Chief Procurator of the USSR for seven years.

The Chief Procurator of the USSR appoints the procurators of the individual republics, countries and Wojewodztwa for five years.

The Procurator of the republic with the approval of the Chief Procurator appoints the Procurators of the districts, regions, and cities for a five year term.

~~CONFIDENTIAL~~

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

Explanation Approved for Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

The Supreme Council of a Republic, depending on it's place in the system, is chosen for a term of 5 years by the Supreme Court.

Territorial judges (country, county, and district) are chosen for 5 year terms by a worker's Deputy Council.

Judges for public courts are elected by secret ballot in regional elections for a 5 year term.

The Chief Prosecutor of the USSR is chosen for a 7 year term by the Supreme Council of the USSR.

The Chief Prosecutor names the prosecutor for each Republic to serve 5 years.

With the approval of the Chief Prosecutor, the prosecutor of a Republic names regional prosecutors for 5 year terms.

Independent from the above organization, are the military courts which function under the pretext of an administrative-military division. Besides this, there are temporary Revolutionary Tribunals (Rewtrybunaly) operating, accountable to the high courts.

On the other hand, Art. 102 of the constitution presents special courts in the USSR, which were enacted on the recommendations of the USSR Supreme Court. It was this type of court that judged the case of Tuohaczewski and his associates, the noted case of the 16 accused Polish representatives of the underground government, and many cases of this type.

If the above mentioned articles were the only articles of the constitution, it wouldn't be possible to have any reservations regarding the organization of Soviet judicature. Other articles of this constitution exist, which factually cancel the right of autonomous courts in individual Republics, as well as court independence.

~~Approved~~

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

CONFIDENTIAL/US OFFICIALS ONLY

Arts. 115 and 116 ~~Approve For Release 2002/07/24 CIA-RDP80-00926A003200020005~~ - the United Republics or districts which are 'autonomous', are named by the Chief USSR Prosecutor. It is clear then that this sham autonomy is but a which confirms the practice of centralizing judicial duties.

The independence of the judges is also illustrated in the limit of their terms (5 years, and in some cases, 3).

It was stated that judges are elected. Actually, they are appointed since the selection of judges by the Supreme Council of the USSR can be synonymous with appointment by the party which has the deciding voice in all things.

The election of judges for the people's court (the lowest court) takes place according to the well known formula applied at the elections of Soviet deputies. According to it, elections are general, without intervention, equal, secret, but....you choose....only one delegate! This is incomprehensible to democratic nations, but entirely natural in Russia. Unions or organizations (in which the deciding factor is evidently and solely communistic) present only one candidate, and so it is possible to hold general and secret elections. The party candidate has an assured victory, since there is absolutely no one to oppose him.

I repeat: it is incomprehensible, but universally practiced in the USSR. Presenting the fact that Soviet elections are not real elections is all that can be done - there is no counsel to be given.

Another condition exists that permits the assurance that the so called independent courts are not really independent at all. There is another institution in Soviet Russia which has wide prerogative of justice. This is the 'Ministerium Wnudriennych Diel' (MVD formerly known as NKVD).

The practices of this institution are so extensive that they completely cancel the essence of Art. 112, at the same time

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

CONFIDENTIAL/US OFFICIALS ONLY

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1
of the entire Soviet justice apparatus.

There is no doubt: Soviet justice rests in the hands of two institutions, the Ministry of Justice, and the MVD.

The competency of these two institutions is not clearly set down. In any case, this can not be determined due to the indistinct wording of the criminal conduct code. Fundamentally it can be accepted, that the courts pronounce sentence for offenses listed in the criminal code, and the MVD eliminates individuals and groups that are 'dangerous or detrimental to the community'.

From reading the text, attention to certain articles of the criminal conduct code show that 'special orders' ~~are~~ give the functionaries of the MVD special privileges. These orders probably define the sphere of activity for the MVD, but they are so secret, they are not known generally, and least known in democratic nations.

Establishment of any accurate boundaries is unlikely. Besides, it seems that this is a doubtful question even to the interested institutions. We will have to judge by observation as to the who, when and whyfore of Soviet arrests, investigations and convictions.

The basis that Soviet law is a tool of the revolutionists results in the differentiation between criminal and political offenses. As a consequence of this, different organs engage in their review.

Before discussing the techniques of the Soviet judiciary, it has to be stressed that the most often encountered offense is counter-revolution, which is of a political nature. Therefore it behooves us to discuss the organization specifically appointed for the prosecution of these offenses. ^{is} This is essential for the comprehension of the background and dimensions of the political terror, constituting the true essence of national life in the Soviet.

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

CONFIDENTIAL/US OFFICIALS ONLY

Existing without interruption since 1947, M. V. D. is the fourth in a series of names given to an organization which has been in existence since 1917. The founding father of this institution is Felix Dzierzynski, one-time head of the Extra-ordinary Commission 'Ozerezwyczajnoj Komisji CZEKA'. After 'CZEKA', it was known as the GPU 'Glawnoje Politiczeskoje Uprawlenije'. The name was then changed to NKVD 'Narodnyj Komisariat Wnutriennych Diel', only to be altered, after the war, to the more 'democratic' MVD 'Ministerium Wnutriennych Diel'.

The sphere of activity of the Ministry of Internal Affairs is considerably broader than in any democratic nation. The head of the M. V. D., besides having the confirmed rights of a Minister of Interior, also has broad prerogatives relating to the characteristics of the legal administration. In 1941, the rapid growth of the former NKVD, caused the creation of the Ministry of State Security, 'Komisariat Gosudarswiennoj Bezopasnosti' NKGB. This Ministry, formerly known as the Commissariat, undertook the task of exposing counter-revolutionists, and offenses against art. 58 of the criminal code, as well as safeguarding National and Military security. The fact that a separate Ministry had to be created to guard against acts aimed at only one article of the criminal code, gives us an idea to the great number of people involved in such acts. The name of this Ministry is not as universally known as the old name, therefore I will use the known name in referring to the organization executing control over life within Russia, combating revolution, and being the same as the arm of Stalin, the party, or, who prefers, the proletariat.

Minister Berii was the head of M. V. D. until 1941, when

25X1A

Kulenkov took charge. He was however, directly liable to Berii, so much so, that it can be said Berii is the big boss of M. V. D. The main task of M. V. D. is their fight against counterrevolutionists, and speaking truthfully, with all activities directed against the absolute powers of Stalin. No one on earth has the slightest doubt that Stalin is a dictator, and needs any explanation of the statement.

Very often I am confronted with the question: "Why doesn't the Russian nation rebel against the Bolshevik party. It's not over 3 million strong?"

I never heard that question in Russia. This question can only be posed by a citizen of a democratic nation, who does not understand the mentality and ethics of the Russians. Being raised in an atmosphere of freedom, he cannot believe many of the revelations about the U. S. S. R.

It has to be understood, that in it's fight against counter-revolutionism, the M. V. D. discharges it's duties remarkably well because it has at it's disposal:

1. Soviet law.
2. An army of informers.
3. A special branch of the internal M. V. D. army.
4. Private equipment to handle their own railroad transportation, river traffic, and ships sailing under the green and white flag.
5. Private telephone lines, independent of those in general use.

The management of these media creates a government within a government, and possesses rights unheard of in other parts of the world. Even the Gestapo, had neither such means, nor such rights at it's disposal.

25X1A

The wording of the entire criminal code, and in particular, arts. 9 and 58, is so ingeniously thought out, that fundamentally every citizen of the U. S. S. R. can be arrested and convicted on any pretext.

It must not be forgotten that 'the manner and confirmation of arrests by the M. V. D.' together with 'the manner and supervision of investigation of those brought before the M. V. D.', consists of a special order specifically established for this purpose. As I mentioned before, these special orders have not been disclosed to the populace since they are as secret as all the activities of the M. V. D.

Besides the courts normally subject to the Ministry of Justice, the M. V. D. orders secret trials as decreed by the administration, which is under it's immediate power. In 1935, when Jezow was the officer in charge of MVD, a special Tribunal of Three was instituted in Moscow for the sole purpose of hastening the destruction of the 'enemies of the people'. This was at a time when there was an especially strong movement of terrorism, and the courts were physically unable to handle their obligations. Up to 1938, this Tribunal had the right to pass a death sentence, even at a secret trial. After the liquidation of Jezow, the activities of the Tribunal were curtailed, and the name changed to the Special College 'Osoboje Sowieszczanije', hence the shortened OSSO. It is still functioning, but does not hand out sentences of more than 8 years. It does, however, take full advantage of it's power, and the numeral 8 appears on most of it's convictions.

The MVD is given it's information as to whom shall be arrested, by a large army of informers called 'seksoty', - 'sekretnyj sotrudnik', that is, secret assistants.

25X1A

Art. 91 of the Soviet criminal conduct code says: 'the sources used to detect criminal conduct are:

1. Declarations of citizens, associations, and organizations.
2. Information of governmental institutions and government workers.
3. Self-accusation.
4. Prosecutor's motion.
5. The knowledge of the investigating organization, the presiding judge or the courts.'

The information is divulged at headquarters. Soviet judicial law presumes that a person mentioned in an accuser's report, and therefore being under suspicion, is guilty. These reports place the populace in jeopardy. If the accused had not yet committed a crime, he may have thought of committing one. Since the thought, and the deed, are both punishable alike, the accused is automatically judged. The astringent application of the law acts as a measure of prevention. It will always be a moot question whether a person has the inclination to commit a crime or not. The Soviet courts do not stop to consider this. Of course it is difficult to conjecture whether a person wants to commit a crime, endeavors to push his plans to completion, or if that isn't the case, whether or not he had the inclination to commit a crime. That is the crux of the matter.

In the Russian courts, the accused has to prove that he had no intentions of crime. This is very difficult to do, therefore it is pretty certain that once arrested, his guilt is a certainty. As soon as a report is made on him, his not only is under suspicion, but guilty as charged.

In Soviet Russia, informers are as common as lice.

25X1A

6.
The schools of Russia have courses on the subject of divulging information. Children are raised in the belief that informing on any one is a virtue, and a duty of a Soviet citizen. Art. 58, par. 12, of the criminal code pertains to all sources of information dealing with contemplated or completed crime. Therefore a Soviet citizen treats the giving of information as a completely natural and justifiable act. 'If I don't inform, someone else will, and it is entirely possible that they will denounce me' - is the normal chain of thought of an average Soviet citizen.

The army of informers is counted in the millions. They are recruited from the ranks of voluntary informants, or the compulsory. The voluntary ones are the ideal Communists, those that believe informing is a virtue, or weak charactered individuals.

The compulsory informers, without exception, are, hotel managers, keepers of rooming houses, all factory management dealing with personnel, captains of ships of the fleet, members of the worker's unions, every third member 'Komsomolu' the young peoples party, all members of the Communist party, political army workers, administrative personnel of the 'Kolchozow' collective farms, etc.

For the investigation of all possible proof of resistance, the MVD has at it's disposal, special detachments of an internal army not subordinate to the regular army. According to the estimates of certain Soviet citizens (who at one time held highnoffices, and later were sentenced to many years of imprisonment with me, To mention a few, a minister, a secretary of the Parisian embassy, a Cossack General), the MVD army numbers more than 2 million persons. This 'Wnutriennyje Wojska MVD' constitutes a strong peace-time army against which the Russian citizen will not rebel, as can be testified by the insurrection in 1932, 1935/6 in the Ukraine and Caucasus, and also

in the war against Germany in 1942/3. Experimental conspiracies

are now being undertaken in the Southern-Asiatic countries.

During the war the MVD was equipped with first rate machine guns, flame throwers, Panzer units, and tanks, and had been assigned the duties of boarder patrol to prevent escapes, and to suppress any rebellion. This may not have been universally known, but is not and never was a secret to the average Russian soldier. Neither is it a secret that the reserve army is trained in the remote sections of the country, and is unarmed. Arms were distributed only for target practice. Rifles and ammunition were brought in by the MVD, and taken away again after practice. Troops ordered to the front, very often rode unarmed, and always without ammunition. Only after crossing the protective MVD lines did they receive full battle equipment. Obviously Soviet propaganda hid this fact very carefully. This secrecy was possible, when you realize that foreign correspondents were unable to cross these lines.

Other detachments of this army perform duties as prison guards, and guards in slave labor camps.

Full liberty of operations, independent of other administrative agencies of state, as well as certain connections are assured the MVD by; private means of transportation, private telephone lines, and numerous radio stations.

The MVD handles the administration of prisons 'Zarzad Glowny Wieziennictwa', camps 'Gulag', and politically tends displaced persons 'zeslaniem'.

The RKKM 'Raboczo-Krestijaska Krasnaja Milicja', which is equivalent to our police force, is under the jurisdiction of the MVD. Obviously, it's duties aren't a fraction as important as the MVD. These duties consist chiefly in keeping public order, and apprehending criminals. In many criminal cases, for reasons un-

25X1A

known to me, the MVD will conduct criminal investigations without the aid of the police. The police never investigate political cases. These are investigated by the MVD, with 80% of them going thru the OSSO.

Before the MGB was eliminated, it was responsible to the MVD for the purpose of training spies for duty in foreign military and political parties. This was the most extensively organized system of spies in the world.

Who is the MVD subject to?

According to the letter of the law, control over the MVD ought to be handled by the high counsel of the USSR, but that isn't so. Contrarily, the members of this counsel are subject to close observation by the organization which theoretically controls the MVD. Actually the MVD is responsible to no one but Stalin.

25X1A

CHAPTER III

Methods of Arrests

The arrests of individuals suspected of committing a criminal offense are performed by the militia. The foundation for such arrests is Art. 91 ccc. The formalities associated with these arrests are more or less similar to those in democratic nations.

Arrests performed through the MVD present a different picture. In these cases, the binding factors are 'special orders'.

An order for arrest is not necessarily attributed to the completion of an attempted act. It is universally known that there were instances of persons being arrested who were unknown by the MVD. In Soviet occupied countries (Lithuania, Latvia, Estonia, Poland, etc.) there were mass raids on the streets, and in public places, in which all persons were arrested and after being transported to the MVD headquarters, segregation took place. It was customary to hold all that did not possess personal identification, together with arrivals from other localities.

Arrests of individuals were also performed. This was usually done by either uniformed or non-uniformed agents of the MVD accosting pedestrians who had stopped to converse. They would be individually questioned on the topic of their conversation. If their answers were the same, they'd be told to move on - if not, they were arrested. The reason for arrest was that they had been carrying on a counter-revolutionary 'conversation', or complaining or existing conditions or conspiring. Conspirators usually agreed before hand, that in the interruption by an agent of the MVD, they would each say that they had been discussing a film. Incidentally I'll add, the Bolsheviks were astonished at the interest shown in films by a large percentage of the citizens in occupied countries. Generally the arresting agency hastens to explain that it operates on

25X1A

the principle of law and presents the arrested person with an order for arrest signed by the prosecutor. It is a common practice however, to have a delay of many weeks, or even a discontinuance. This can be called an 'accidental' arrest.

From observing the activities of the NKVD, either in Soviet Russia or in Soviet occupied countries, depending on the political situation, arrests are performed by a specific plan prepared by the higher-ups for any eventuality. The democratic interpretation of the law remains the same, but in Russia the laws are flexible and elastic. This elasticity is endowed through art. 16 cc which introduces trials by analogy.

The MVD always has a prepared list stating who shall be arrested for any cause. Taking into consideration the period of 1936-7 as a time of specifically intense terror, we can risk stating that the keys to arrests are : Trotskyites, malefactors, spies, and persons having any contact with friends or relatives in other countries. As I previously stated, the Trotsky idea is as widespread in Russia as malefaction and spying. It is no wonder then that for every 'Trotskyite' or other 'spy' a great number of persons find themselves on the road leading to prison. This isn't at all illegal for Soviet law, through cc art. 7, permits the application of punishment not only 'to persons that have committed an act detrimental to public safety', but also to those that 'present a danger' through their connections with a criminal environment or for past activities.

The moment of arrest depends on the political situation.

The MVD, working on the assumption that it's activities ought to be secret, performs most of it's arrests under cover, preferably at night. The ingenuity used in camouflaging it's activities is very great and is applied especially in the methods used to combat anti-communism. An individual that is under suspicion is usually called into an office

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1
apparently used for official business, generally the Militia office, and finds an agent of the MVD waiting for him. In the same way, diplomatic attaches and persons in the public eye are recalled to Moscow.

If an arrest takes place at the home of the prisoner, the agents of the MVD usually attempt to reassure members of the family that the cause of arrest is minor and that after explanations are given he will be released. Evidently no one believes this, but everyone has a ray of hope that in this particular incident, the MVD agents are speaking the truth.

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

 CONFIDENTIAL/US OFFICIALS ONLY

In every democratic country respecting de jure and de facto independent trials, investigations are for the purpose of determining the exact facts. The way to this, is the gathering of evidence to incriminate the accused, as well as to helping acquit the unjustly accused. Only after gathering all the evidence, do the investigating officers present their accusations. If there is no evidence, the case is dropped, and the accused is freed. The trial itself, is the result of an accusation, and has as it's aim, the establishment of the facts of criminal offenses. The court works freely and independently of the investigating officers, and only judges by the facts and evidence collected during the trial of the accused. The accused is judged only after all evidence has been collected and presented.

Similar precepts may be found in the Soviet criminal conduct code, and similar practice in Soviet courts which preside over criminal cases.

However, Soviet justice works in an entirely different manner if the case is of a political nature.

In these instances, the Soviet investigation is a function which has as it's aims:

- a. The uncovering of an offense.
- b. Incriminating people that aren't necessary to the regime.
- c. Convince the accused that he had committed an offense.
- d. Force a confession from him.
Prepare
- e. *Perform* the writ of accusation.

There is a popular saying in Russia, "to attach an article". The criminal code is attached to the guilty as well as the not guilty. The result of this is that the 'arrested is always guilty'.

25X1A

Approved for Release 2002/07/24 : CIA-RDP80-00926A003200020005-1
When the investigator can not find proof of guilt, he looks for other incriminating acts which suit his own convenience, and later on he will send it to a superior court or the Special Collegium MVD (OSMO).

The superior court relies on the act of accusation and endeavors to prove the prisoner's guilt. A guilty plea is unquestionable proof of guilt, and is the basis of sentence. The OSMO always relies exclusively on material evidences of investigation, and pass judgement in absentia administratively.

When there is no proof of guilt, the accused has to provide, and prove, his own alibi of innocence.

The real spirit of Russian justice gives rise to many known Russian anecdotes. Nothing is more characteristic of the social and political life, as an anecdote. Here are two of them.

In the bath-house of a town, a technician of an electrical appliance shop was robbed of his clothing. The thief left only a vest, and the Soviet police had no success in finding the thief. However, the victim's vest was thoroughly examined, through force of habit, with the result that one of the policemen found a piece of copper wire. The workings of his mind were channelled thusly: 'Technician - working in a shop - he stole the wire, which is the property of the Socialist country. Therefore a crook'. Result, the arrest of the complaining victim. (Zoszczenko stories)

Another one.

A soviet bunny ran away and didn't stop until he was well beyond the iron curtain.

"Why did you escape?" asked a ram

"Because they castrate horses"

"But your a bunny!"

?

25X1A

"That's easy for you to say; but they can't see you, castrate your
and then prove your not a horse".

The above anecdotes illustrate not only the sporadic chance
stupidity or the misuse of the organs of investigation, but also the
ruling system.

There is a dominating tendency of self-accusation in the Soviet
system of investigation. Through regulations, the inquisitor does
not give the arrested person the reason for depriving him of his
freedom. The investigator demands that the accused define his crime
personally.

Between the time of arrest, and the first hearing, the arrested
person's thinking processes are aimed at trying to find out the
reason for his arrest. A person having unlawful contacts gives the
Soviet authority a confession, since he knows what he has been
arrested for, but the 'righteous' search their memories for recol-
lections of instances in their activities which might be the basis
for what has happened. He makes an 'examination of conscience',
mentally reaching back, finding lights and shadows. In a certain
instance, he finds some small, inconsequential 'offense' - but isn't
yet certain whether that particular reason caused his arrest.

Through these thought processes, the investigating judge hopes
to gain a confession of guilt from the arrested party. The moment
of self-accusation is also the moment of pleading guilty as charged,
and that is ~~the~~ of course what the investigators want to come to
pass. Therefore, in the first phases of operation, the investigator
attempts to explain to the arrestee the necessity of self-accusation,
and to convince him that only a voluntary admission of guilt will
help lessen the verdict, and who knows, whether or not, it may
gain his freedom for him.

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

CONFIDENTIAL//US OFFICIALS ONLY

The eventual admission of guilt is not always reason enough to close an investigation, and prepare a writ of accusation. It may happen that an accused person may have more on his conscience, and the admission of guilt must be forthcoming in the same manner. Such is the attitude of the investigation organs. The process of procuring a confession starts anew. Only after all means of obtaining a confession and self-accusation are exhausted, does the investigator formulate his own more or less fair charge. Again the investigator tries - without telling the accused what the offense is - to bring about a confession and acknowledge his guilt. If the accused denies the accusation, the investigator demands material proof (try to prove your not a horse). In the event that an accused person can furnish proof of innocence, the investigating organ will put forward new accusations until the accused resistance is finally broken. More than once investigations of this kind lasted from 3 to 4 years.

Tendencies to attach articles of the criminal code dominate the entire processes of investigation. In case it is impossible to ascribe the commission of a crime to the accused person, it is imputed that he had endeavored, or at least thought of, committing an offense. In such cases, it is difficult for the accused to gather evidence of innocence.

If it is difficult to formulate a charge, the MVD tries a method of investigation based on a 'life-sketch'. The accused is obliged to present, truthfully and in detail, a certain period in his life. He repeats this a number of times, at different intervals of time. The finding of discrepancies establishes, in the understanding of the investigators, proof of hiding an offense. That is an important point of provocation in the process of inducing the arrested person to a full confession (~~no~~ razkajaniya).

25X1A

guilt to the arrested person. This is due, in many cases, to the lack of evidence, but mainly because the investigators strive for a confession and repentance. The aim of the investigators is to physically break down a person, and to convince him that he is a great sinner against the socialistic nation.

Many different means are applied to reach that aim.

Art. 136 of the criminal conduct code reads:

"The investigating court does not have the right to demand a confession or admission of guilt from the accused by violence, threats, or other similar means".

This article does not pertain to persons suspected of political crimes, as the investigations are conducted by the MVD which profit by the 'special orders'. In general, the impression is given, that the points that are forbidden under art. 136 of the criminal conduct code are the means which are allowed the MVD.

If in spite of strenuous inducements and persuasions, the prisoner still stubbornly maintains his innocence, the investigating judge reaches into a great arsenal of such 'forbidden measures'. He does this with a clear conscience because after all 'the accused is always guilty'. He is not arrested 'for nothing'.

A large file of these measures are available to the investigator for forcing a confession. The Soviet judges have certain steps they usually follow when applying them.

After exhausting all means of persuasion, and all promises, they apply threats. The first one is generally a threat to the family of the accused. The judge presents the accused with the possible fate of his family, their probable arrest, deportation, etc. The prisoner normally knows that this is entirely possible. Next, is presented,

25X1A

figuratively approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1
of his continued denial; loss of freedom for many years, separation
from family, etc., and then he is threatened with violence.

The morale of the accused is then lowered. It is a known fact that a prisoner undergoes physical depression and nervous tension. This transpires to lower the organic resistance and the weakening of the will. The change from the normal way of life, hunger, the curtailment of many comforts and customs of everyday life, the restraint of free movement, and many other reasons, are responsible for this break in morale. Furthermore, the crowded Soviet prisons, and the primitive level of hygienics, increase the prisoner's disposition to nervous shock.

The investigating judge endeavors to use this taut, nervous condition to gain his end. Therefore, during the time of examination, he tends to use every available means to aggravate the nervous system. Roughly speaking, it can be compared to the so called 'third degree examination'. It so happens, that a few investigating judges steadfastly stare at the prisoner. This lasts for an hour or two. In the meantime, the accused is questioned, and the judges study his reactions. Another method is to have a number of persons (not necessarily judges) pass through the room where the inquiry is taking place. These persons stop before the one being questioned, look at him, throw questions or sarcastic remarks at him, or frequently limit themselves to a significant grunt. This disorientates the prisoner and distracts him. It may also happen that a prisoner is brought into a room, presumably to be questioned, but no question is put up to him. During this time, the investigating judge is busily reading, and ignores the prisoner. The inquisition doesn't start for a few hours.

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

CONFIDENTIAL/US OFFICIALS ONLY

The investigators also attempt to counteract the sentiments of the arrestee. They laugh at and defile the ideals for which he is being investigated, try to stifle family ties, use invectives that are insults to personal dignity, and deprive him of hope.

When fear and terror do not break down the prisoner, physical torture ensues.

It is difficult to enumerate all of their methods. Many of them have been mentioned in publications on the bestiality of the GPU. We can only state, that these writings are not exaggerated, nor do they drain the repertoire of the MVD.

In a conversation with a Soviet prisoner - at one time a high Soviet dignitary - we spoke of the methods of the Gestapo and it's bestiality. At the close of our conversation, he said with Communistic pride, "Bah, what ~~they~~ they know, they know from us, and they could never reach our heights".

It is not my intention to write about the horror of Soviet investigations, but I cannot resist the will to publish the tortures which I suffered, or which I had witnessed performed on my colleagues.

One of my hearings lasted continuously for 90 hours. All this time, I stood in a corner, without sleep, food, or drink. (Prior to this, I was fed some very salted herring). After 2 days of this, I was tempted with the prospect of receiving water and rest. When this didn't help, the judge fell into a rage, and 'by way of beginning the expected torture', knocked out 3 of my teeth. The only words I heard from these 'judges' were the two 'skazy prawda' (tell the truth). Exhausted, I didn't answer them, so a horn was made, by rolling up 'Prawda' (a well known Soviet newspaper), and yelling into my ear. The effect is partial deafness which bothers me to this day.

The next torture applied was what is known as 'a barrel of

25X1A

laughter'. It is an ordinary wine cask, set in a position for rolling, over which the prisoner is draped in such a manner that his stomach is pressed against the walls of the barrel. Then the barrel is struck with a hard rubber club. The result is entirely unexpected; the resounding of the barrel induces vomiting, and the longer it lasts, the stronger is the reaction. After a half hour of this, the prisoner feels completely 'turned out' giving up the remainder of the gall and blood.

Another popular torture is to have the prisoner sit on a bottle for many hours, so that the neck of the bottle sinks deeper and deeper into the anus. It wouldn't do to mention small tortures, as then one would become boring. Is it worth writing about such common practices as forcing needles under the finger-nails, or standing on hot iron? These methods are so widely known among Soviet prisoners that it doesn't pay to mention such small tortures. Just as nothing is mentioned about such normal everyday activities as breathing and walking, so is nothing mentioned in Soviet prisons about such ordinary forms of torture as clubbing or slapping one's face.

Applied torture is not the rule of Soviet investigators. It is a system which is applied by investigating judges then, when all means of the criminal conduct code are exhausted. Then it is applied without mercy and is always applied to members of disclosed secret organizations of a political nature.

Professional preparation for Soviet investigating judges is not very high, and doesn't call for - as in Capitalistic countries - long years of study. Through the general lack of specialists in Russia, professional standing does not play a high roll. Membership in the (Komsomol) constitutes a better chance of attaining a position of responsibility than do studies of law. The same applies to judicial

25X1A

duties. In general, investigating judges, judges, and lawyers base their standards of learning on 10 years of elementary and preparatory studies, and 3 years of study in law. There are some judges who have had only a few months of law, while still others have no professional background at all.

Investigating judges of the MVD can be separated into 3 groups, if the subject of ways of conducting investigations and professional standing is considered.

1. Those of little intelligence, unlearned, conceited, and vain. These handle matters of smaller worth. Lack of schooling is covered up by lengthly written protocol and delivering extensive propagandistic reports on the benefits of the Soviet organization. They tend to run the gamut from surgery affability to ordinary beatings.

2. The intelligent. Mostly professional routine. They are more inclined to gather evidence of crime, and use means of convincing the victim of the necessity to confess and acknowledge their crime. They are more enduring and stubborn in their beliefs. They try to perceive the psychological make-up of the accused. From this, they decide what methods of torture to use, whether moral or physical. They are cruel and ruthless, and do not flinch before the most refined torture. Among the, the specialists in cruelty are - women judges.

3. The eminently qualified. Often a party agent. Grave philosophical studies (in the spirit of dialectic materialism). In contrast to young wards of Soviet schools, they orientate themselves to capitalistic ways of life. They handle matters of great importance. They avoid applying torture (not always - some are true sadists). They attempt, via dialectic demonstrations, to force the accused to a confession. The characteristics of this group of judges were shown

25X1A

Approved for Release 2002/07/24 : CIA-RDP80-00926A003200020005-1
very faithfully in Arthur Koestler's book 'Darkness at Noon'.

Do the investigating judges attain their goal? It may be maintained that they do. Let's take for an example the results of Moscow processes, when people that were used to ruthless warfare, themselves rabid Communists that were able to resist the Czarist ruffians, stood before the bar. At the trial, they ardently made statements of self-accusation and repentance. They showed greater eagerness than the hardy predicted. All admitted to guilt. The judge was the supreme procurator of the USSR, comrade Andrew Vishinsky.

Investigative Prisons

The picture depicting investigations would be incomplete if we had forgotten to describe investigative prisons. Fundamentally, there are no other prisons in Russia except the one's for persons under investigation. Theoretically a penalty of imprisonment exists, but it is seldom applied and 99% of the inmates are there because of investigations.

In spite of this Russia is thickly covered with prisons. Every military post has it's place of confinement, and almost every large city has one or more prisons.

There are a few model prisons in Russia, or I would say, extraordinary ones. They are administered in a truly exemplary way. The famous Moscow prison 'Lubianka' is one of these. Rules in these prisons are followed severely, but are observed scrupulously as well by the prisoners as by the prison guards.

A prisoner has the right to play games (dominoes, chess, draughts) which are supplied by the prison authorities. Games of chance, and especially cards, are strictly forbidden. The prison library supplies books (one a week). The prisoner has the privilege of buying sundries and tobacco up to 75 rubles worth a month. He can write requests and complaints to the prison authorities.

While in their cells prisoners are not allowed to; speak loudly, sing or whistle, approach the window or door, sit or lie on the bed during the day, do any writing, or possess any metal objects, shoelaces, belts, etc. During the night the prisoner must sleep with head and arms uncovered, and under no circumstances should a prisoner unscrew a light bulb from the constantly burning electric lights. He is obliged to perform all duties assigned by the prison guards.

Any infringement of prison rules is threatened with punishment such as: solitary confinement up to 20 days, depending on the offense, monetary fines to cover the cost of damaged state property, and finally, ordering a new trial if the offense is serious.

The most frequent offense committed in prison is counter-revolutionary agitation (Art. 58, par. 10). The Soviet interpretation of the inimical idea of agitation is very broad, for example, every assertion of fault finding in the USSR structure, or comparison between a capitalist country and Soviet Russia which is unfavorable to Russia, is an offense.

Prison guards are usually uncommunicative. Beyond necessary expressions, they do not engage in conversations with prisoners. During the course of a day I noticed that guards uttered only 20 or 30 words in conversation with a prisoner. In the event a prisoner is called for a hearing, he is accompanied by two guards who hold his hands in the rear.

A complete isolation of cells exists. A prisoner that is removed from his cell hasn't the right to mingle with prisoners from other cell blocks. During the course of the daily $\frac{1}{2}$ hour exercises, prisoners of one cell are separated from prisoners of other cells by high walls or fenced in enclosures. The walk is completed in a circle, singly or in pairs. Talk is prohibited.

There only are a few of the above mentioned prisons in Russia. I repeat, these are model, show-piece prisons.

In the other Soviet prisons, which can be numbered in the thousands, conditions of prisoner treatment present a completely different picture. Despite the absolute centralization of executive authority in Russia, prison rules are not observed equally in different prisons, although their texts are identical. All prisons have posted 'prawila

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1
dla 'zakluczonych', rules for prisoners. Their interpretation however bow to local conditions and to the individuality of the prison warden, as well as the convenience of the prison administrators.

Old prisons built by the czar are used as investigative prisons. The number of these old prisons was entirely inadequate for the Soviet system, so they are using other structures also, such as, cloisters, churches, institutions, schools, and new structures especially built, as prisons by the NKVD.

Primitive arrangements, lack of an adequate sewage system and water-supply, dampness, and bug infestation constitute a characteristic attribute of these buildings which are surrounded by high wall provided with turrets, where armed guards hold watch.

Prisons are normally built in the shape of a huge several storied nave, presenting tier upon tier of cells. A strong net of rope is hung between floors to thwart would-be suicides from plunging to the stone foundation of the nave.

Cells are locked on solid ~~hasp~~ hasps and locks. Within each cell is found a small night stand in which the prisoner places his wooden bowl and utensils, a pail or pitcher for drinking water, and a covered bucket for excrement which is taken out twice a day during the time prisoners are ~~let~~ set out to the water-closet. Beds boasting straw or shaving mattresses are found in some prisons, but not in all. A small barred window is set very high and is usually covered from the outside with a metal or wooden casing which when opened, allows a small view of the sky. Cells that are designated for children under 18 do not have this casing.

The possibility of visiting a prisoner under investigation is very slim and depends on the investigating judge. A prisoner is permitted one parcel of food or clothing a month. Of course, that is subject to

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

CONFIDENTIAL/US OFFICIALS ONLY

revision. Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1
Prisoners are allowed to write one letter a month. These
privileges can be limited or taken away by the investigating judge.

A prisoner under investigation receives a daily ration of: 20
ounces of black bread, 2/3 ounce of sugar, besides three daily meals.
These meals consist of: breakfast - cup of warm water dyed by the use
of bread crusts or dried fruit extracts to the color of tea; dinner -
one pint of thin soup and a none too full spoon of barley, supper -
one of the dinner dishes, either soup or barley. After sentence has
been pronounced, the prisoner gets an additional ration of 3 ounces
of bread and 1/8 ounce of sugar.

Every ten days, a prisoner should have a bath and have his clothes
disinfected. At the same time hair and beards are trimmed, but shaving
is prohibited. Each prison should have it's own laundry, and bed linen
should be changed every ten days. This is not practiced due to the
overcrowded conditions of the prisons, and sanitary measures are per-
formed in a 'relaxes' tempo once a month or even less often. Personally
I did not receive a change of underclothes in 8 months, that is, after
they were completely worn out.

As a rule, Soviet prisons are unbelievably crowded. Arrests fill
the prisons beyond their foreseen capacity. Cells that were built for
one prisoner frequently hold up to 20. Prisoners actually sleep on the
floor, feet to feet, and if space is lacking, they take turns sleeping,
either sitting or standing till it's their turn to sleep. Prison regu-
lations do not mention area standards or cubage for each prisoner.
Complaints against over-crowding bring no results.

The over-crowding of prisons and the continuous stench breed lice
and other insects, which result in frequent epidemics of typhoid fever
and bloody diarrhoea.

Every large prison has it's hospital, most always kept clean it's

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

CONFIDENTIAL/US OFFICIALS ONLY

true, but ~~less~~ ^{Approved For Release 2002/07/24 : CIA-RDP80A00320002005-1} primitive, frequently the only medication available being aspirin or iodine.

The relationship of prison guards to the prisoners is non-uniform. In general, they are indulgent towards ordinary criminals and minors, and are ruthless in regard to 'counter-revolutionists'. Common criminals are separated from the political prisoners and have almost no contact with the 'Western plague'.

A thick web of NKVD confidants exists in every prison. These confidants not only inform on their fellow prisoners, but very often act as instigators and sometimes appear in court as witnesses for the offense.

The time spent in investigative prisons is not pre-determined. It all depends on developments and progress of investigation. A common criminal spends less than 6 months in this prison. A political prisoner rarely spends less than 1 year, and I have met prisoners that have been under investigation for 3 or 4 years. I personally spent 14 months in this type of prison, 8 months of which were in solitary confinement.

Every prison has it's lockup. This is a 'prison within a prison'. It is a small cell 6' by 4', and is usually built under the prison. The only utensil is a bucket for excrement. Dampness and infestation is more prevalent then in the regular cells. The one window is covered with sheet metal punctured for ventilation. It is never heated so that is the main factor causing the death of many prisoners. During the day a heavy gloom pervades, and a strong electric light burns all night. The only sustenance given a prisoner in solitary is 12 ounces of bread and 1½ pints of warm water three times daily. The water has to be drunk in the presence of the guard. The prisoner has only the clothes he wears and is even denied a handkerchief. If a prisoner causes a disturbance or becomes violent, he is restrained with a strait jacket.

25X1A

Approved For Release 2002/07/24 : CIA-RDP80A00320002005-1

CONFIDENTIAL/US OFFICIALS ONLY

Solitary confinement is meted out as punishment for infringement of prison regulations, or on the recommendation of the investigator as a reprisal for refusing to confess, and for other reasons. I spent 20 consecutive days in confinement (in Feb.) for 'staging an anti-soviet demonstration' which consisted of refusing to eat in order to force the judge to hasten the investigation and to announce the accusation. The effect of this 20 day 'fast' was complete weakness and inability to walk under my own power.

60
CHAPTER VI

Judicial Channels

At the close of an investigation, the accused is informed (art. 200 ccc), and is given a form that he is obliged to sign. This form lists all articles and paragraphs of the criminal code on which hinge the accusations of the investigators.

The normal course of action at the close of an investigation is the act of accusation which is given to the accused a few days before the trial. Exceptions are made in instances mentioned in the following Arts. of Part VII of the ccc:

"Art. 466. Investigations in the affairs of terroristic organizations and terroristic acts aimed against the worker's council (art. 58 par. 8 and 11 cc.) should be completed within 10 days."

"Art. 467. The accusation writ is presented to the accused 24 hours before trial".

"Art. 468. Trials are conducted without participation of both sides"

"Art. 469. No grievance for a court of appeal or pleas for clemency are allowed".

"Art. 470. The death sentence is carried out immediately after the verdict is read".

The monstrosity of art. 468 lies in the probability of it's being the only one of it's kind in the history of law. The foundation of it's existence is based on the bill passed Dec. 1, 1934 and published immediately after the murder of Alexander Kirow, committed that same day by a little known youth named Nikolajew. Many Russians are of the opinion that this murder was arranged by Stalin who was looking for a pretext to destroy right and left wing oppositions in the party. The fact is that Nikolajew committed suicide right after the murder, and it was never established as to who he actually was.

25X1A

The writ of accusation is prepared by the prosecutor. To the accused remains the possibility of defense, having had a public defender assigned to him. He can hire a private counsellor if he has any material means. The defense attorney acquaints himself with the case and can demand to see his client.

The competency of the court depends on the type and maximum punishment of a crime. Court procedure on the average is very short. For example, in May and June of 1941, there were many cases before the people's court concerning hooliganism (art. 74 cc). This 'hooliganism' consisted of the usage of a curse commonly used in Russia offensive to motherhood (yielding to doubts as to motherhood's virtues). From the moment of arrest, to the verdict of one year imprisonment, the time elapsed was usually 12 hours.

A more serious offense, mainly a political one, is handled by district courts in a normal procedure (accusation, defense, and verdict), or by the Special College (OSSO) which pronounce sentence in absentia in an administrative manner. The prosecutor chooses either one of the two institutions.

In practice, that depends on the findings of the investigation. The district courts receive only those cases that do not present doubts as to the guilt of the accused. All others are handled by the OSSO. The political prisoner has only these two roads open, the district courts or the OSSO. There is no third road. It never happens that anyone under suspicion of 'counter-revolutionary activities' is freed.

Under these circumstances, the defending attorney limits himself in political cases to: a) facilitating a reunion with the prisoner's family, b) in his speech, saying in effect, that although the prisoner is a great sinner in regards to the Soviet, he has hopes of reform, c) presenting an appeal, and d) in the event of a death sentence, he presents a plea for clemency.

25X1A

From the maxim of Lenin, written in gold letters and hung in each court, (laws are tools of the proletariat and working classes) arises the already mentioned Soviet judicial relativeism and it's stamp is placed on every verdict so that that principle is found even in court procedure. Not only jurists, but also laymen present at trials must observe that similar to investigations, the court does not seek the truth, it only wants a confession of guilt from the accused. How indiscriminating this can become can be attested by the examples from the notorious Moscow prosecutions at which time the accused confessed to things that were physical impossibilities, E.g. the accused David indicated the place of meeting the already deceased Trotsky in a Norwegian hotel, Nathan Lurie received instruction in 1932 from the still unfounded Gestapo, and in 1932 Berman conspired with a Russian emigrant that had been dead since 1925. A similar conspiracy with this deceased person had been confessed to by professor Kamsin, and Piatakow flew from Berlin to Oslo with a phantom. The courts didn't question any of these confessions.

Trials drag on for many days, witnesses for the prosecution and for the defense are questioned, the prosecuting and defense attorneys have their say, but the voice of the state prosecutor predominates. "The court is the tool of the proletariat and working citizen" and not of justice.

Representative trials of undoubted cases of organized, armed counter revolution, terror, sabotage, etc., are from time to time held publicly. They are nothing more than demonstrative propaganda. Military tribunals, district, or appellate courts usually organize them. The prosecutor's voice dominates, his speech is usually of a political nature, and is more suited for an auditorium rather than a court-room. After the Moscow experience, Soviet courts avoid organized public trials if there is any

25X1A

doubt as to the guilt of the accused.

From observations of further prosecutions that took place in Moscow in 1935 with the result that all opposition inside the Party (Zinoview, Kamieniew, Bucharin, Rykow, Radék, Piatakow) and the army (Tuhaczewski, Jazir, Uborewicz, Zork, Eidemann, Feldman, Promakow, Putna) was completely destroyed, we can draw our conclusions about the techniques set up by propaganda processes. We should ask ourselves what is the aim of this process. Is it only for 'influencing other wavering members of the community' which is discussed in art. 9 cc.? If so, in what sense?

To frighten the disobeient is, and was, a maxim of Russian justice. That is how we understand this 'influencing wavering members of the community'. It cannot be forgotten that just as for centuries courts have been the tool of the czars, they are more so tools of the proletariat authorities, and to be truthful, tools for Stalin. The propaganda process also has many other aims. One fundamental is to influence public opinion as to who is responsible for all the misery which is tumbling down on the Soviet Union. This statement can be better illustrated through the concrete example from the prosecution of Radék (Jan. 1937) during which time the accused Lifszyc recited in one breath, that in a five year period (1932-1936), he was responsible for 10,380 railroad accidents, or 5 per day. The courts actually treated this recital as proof of evident repentance, but the nation finally learned who shoulders the blame for sabotage. A sharp sidelight was my meeting Lifszyc in Uchice during 1941, where he held a good position in the bureau of planning, as the head of the statistical group, where he wasn't treated as a prisoner. I saw him almost everyday but other than a knowing smile I couldn't learn anythin from him. Similar confessions can be counted in the hundreds. If they were true, there would have been enough damage done to destroy the whole world.

25X1A

I mentioned two of the propaganda processes. The techniques used are as follows:

A notice appears in the papers one day, that a well known dignitary is spreading the ideas of Trotsky, or that his opinions deviate from course Stalinism, which as we know is one real ~~marks~~ of Bolshevik philosophy. The next day the papers and radio announce the arrest of the dignitary on the charge of sabotage or espionage. Then the names of his companions, who have also been arrested, are released. Newspapers, radio, films, and agitators use great pressure against the people's enemies and a large worker's gathering demands the severest punishment for them. This pressure lasts so long until the investigators have 'prepared' the accused for a public confession before the courts. First then is the date for a real public trial announced. It often occurs that crowds of workers stage demonstrations against the accused before the court building. At the beginning of the trial, the accused requests the dismissal of counsel, since they only hinder them in their avowals of guilt. The court grants their request, and now the accused have full freedom for their self accusations, which they fervently perform.

Should the accused show no signs of remorse his trial is held behind closed doors, which is exactly what happened during the prosecution of Fuchaczewski and other generals.

It sometimes happens that a district or appellate court will free someone mentioned in a collective accusation. If it is a political accusation, he is returned to prison and his records are turned over to the OSSO. The OSSO has never found anyone to be not guilty.

Many officers of the NKVD can be found in the judges ranks. Often, they do not take the trouble to change uniforms but leave the investigating hearings and go directly into the court rooms.

At the end of the trial, on the recommendations of the prosecutor, the

25X1A

the verdict is read to the accused.

After the verdict is read, the prisoner does not return to the cell he occupied during the investigation. He is taken to a cell occupied by other sentenced prisoners where, regardless of any appeal he may have made, he awaits transportation to a corrective labor camp.

A prisoner that receives a death sentence is taken to the death cell. It is characteristic that should a prisoner refuse to sign a writ of appeal, the prison authorities try to force his signature. If he persists in his refusal, the public defender issues one on his behalf. The organization authorized to grant appeals is the USSR Supreme Council. It is not known However, why the prisoners always say among themselves "I wrote a plea to Stalin".

The prisoner awaits a decision of life or death for about 3 months. Is it a formality, or a wish to definitely smother any remaining opposition in a prisoner sentenced to die?

Legal procedure - if it can be so called - in matters determined by the OSSO are seen in a different light. As it had been mentioned previously, the OSSO is called to handle political prisoners whose guilt is in doubt, especially those that had been released by district courts. The OSSO handled 5/6 of the political cases. This doesn't only greatly lighten the work of Soviet courts, but it is also a perfect camouflage for the NKVD since the findings of the OSSO are never published. (nevertheless almost everyone knows of them).

Procedure is very simple.

After the investigation and writ of accusation are completed, the records of the entire procedure are forwarded by the investigators to the NKVD Special College in Moscow. After a few weeks or months have elapsed, the prisoner is called to the office or maybe only to the prison corridor where a non-commissioned officer of the NKVD or a civilian

25X1A

EXECUTING SENTENCES

CHAPTER I

Kinds of Punishment

The name 'community protection measures' emanates from the broadening conception of guilt independent from infringing on objective rule but damaging to one category of individuals in relation to interests of a proletariat state. We spoke of that earlier.

Soviet jurisdiction interprets crime as being a characteristic of a certain category of people who stand guilty due to their existence as individuals 'dangerous to the community'. In relation to them therefore, it is necessary to adapt 'community protection measures'.

Defining punishment as a 'community protection measure' also stems from the desire of investing Soviet justice with a humanitarian semblance. The adjective 'communal' is repeated often in the criminal code. Soviet jurisdiction does not differentiate between transgressions, violations or crimes, but calls them in general 'acts dangerous to the community', anyway, after these words appears the definition 'offense' in parenthesis.

The elimination of the word 'punishment' from the original edition of the code also had as its aim the stressing of the protective-educative or humanitarian character of the measures adapted in relation to an offense. But already in the resolutions of the Executive Central Committee and the USSR People's Commission Council, beginning with the resolution of May 8, 1934 on supplementing the law about state offenses with articles on treason, instead of using the term 'community protection measure' which has a 'judicial- corrective characteristic' the term 'punishment' (nakazanje) is used.

And so, a 'community protection measure' is....punishment!

25X1A

The Soviet criminal code mentions a few types of community protection measures which have a 'judicial-corrective character' as:

1. loss of political rights
2. confiscation of property
3. publication as an enemy of the worker
4. deportation to the remote regions of Siberia
5. loss of freedom through:
 - a) imprisonment
 - b) location in a 'corrective labor camp'
6. publication as an enemy of the worker and exile from the USSR
7. death before a firing squad.

It would be right to also mention the punishment of 'disappearance'.

It isn't mentioned in the criminal code and it is doubtful that this punishment is mentioned in the 'special orders' regarding the legality of the NKVD. It is one of the forms of judgement outside the court. People that are inconvenient to the regime but who enjoy national popularity disappear quietly and without trace from the horizon of Soviet life. The USSR citizens have become accustomed to this. When all talking and writing about Litvinov stopped in 1939, questions about him were answered by the Russians with a characteristic gesture from which it became clear that this dignitary shared the fate of seeds that have been picked up by the winds. It isn't a secret that Admiral Urlov, Marshal Blucher and many others 'vanished' in an unexplained way and from this it seemed apparent that Litvinov shared their fate. As far as Litvinov is concerned however, the people were mistaken. He was still active in Russian politics.

Loss of freedom through sentence to a corrective labor camp is most often adapted.

Confiscation of property, loss of political rights and publication

25X1A

as an enemy of the worker are applied as punishment in addition to loss of liberty or death before a firing squad.

Death before a firing squad is the highest means of community protection, likewise publication as an enemy of the workers and exile from the USSR.

As I have previously mentioned, this last measure of communal protection is not generally adapted and Soviet judicial history knows only a few instances of the application of this paragraph. One thing is certain - if this punishment were applied it would be received by 99% of the convicted not as a punishment but as the highest reward. The criminal code, with strong rules, stipulated the Soviet boundaries, and propaganda asserts that complete isolation of the nation from the rest of the capitalistic world is one of the best guarantees of national defense.

How does the execution of different types of punishment, namely execution, exile, and detention in a corrective labor camp seem to appear in daily life?

Art. 9 c.c. states that:

"Community protection measures cannot have as their goal physical suffering or the lowering of personal dignity, nor do they have the power to fine or punish".

Apart from the fact that a measure for communal protection is called a penalty, consequently if we tried to apply uniform terminology we would get such nonsense as - 'penalty does not have the power to penalize', - we will demonstrate that the above cited art. 9 c. c. is only a hollow, although pretty, jingle.

25X1A

70
CHAPTER II

Death Cells

A prisoner condemned to death is placed in the death cell. In principle, he has a cell to himself. Double-locked doors, solidly secured windows, and addition guards preclude dreams of escape. At least once a day the prisoner can expect an inspection by the guards. This inspection is to safeguard against escape or suicide. Every two minutes the 'Judas' window is opened. The guard observe watchfully.

Every creak of a door, or every time a prisoner is removed from his cell to the corridor can be - death. The nights are especially nerve wracking. Inspections of cells usually takes place during the night. The condemned never knows but that this time the guards maybe taking him to the place of execution. I don't know if it is a general practice or only the 'private initiative' of the guards, but frequently the guards arrange their 'joke' during the night by purposely stopping near the death cells and raising their voices so all the prisoners can hear one ask another: 'is it this cell or the next one?'.

I had occasion to hear this every night, and that not only once, but many times. I spent 8 months in a cell adjoining the death cells.

An appeal for clemency is handled through Moscow. The usual length of time spent in waiting for a reply is not less than 3 months. The psychical agony grows with each day of waiting.

Executions take place in a prison cell, usually an underground one. A rubber ball is placed in the condemned man's lips and he is shot through the back of the head at close range. Gags were brought into use after the executions following the Moscow prosecutions to prevent any protesting shouts by the condemned. Many Soviet political prisoners state the Tuhaczewski shouted "Down with tyranny! Long live Communism!" before his execution.

The author of this work had the opportunity to observe condemned

persons immediately after the writ of clemency had been read to them.

These persons were unable to give their names, their arms and legs

trembled, and their teeth chattered as though they were suffering an

attack of malaria. These had been awaiting death or clemency for 95

days! One was my partner in arrest and had refused to sign a plea for

clemency. A plea had been sent in his name however, to the Soviet High

Command, without his knowledge. He had been a valiant and courageous

in any event and yet he suffered a complete breakdown while marking time

in the death cell.

25X1A

CHAPTER III

Deportation

The penalty of deportation is a carry-over from the times of the czar. By keeping this penalty the Soviet government had in mind not only the separation of criminal elements, those not giving a pledge of loyalty, and the scum opposing the political trend of the country, but also the colonizing of Siberia. Deportation is one way for untangling a difficult national problem. Siberia today presents a highly colorful mosaic of nationalities consisting of deported groups of 'nationalists' from the Ukraine, Poland, Orman, etc. There is also no shortage of Chinese, Koreans, and Japanese, creating a veritable tower of Babel which isn't threatening to the USSR since the NKVD foments unofficial race hatred and prejudices which conforms to the so unproletarian device: divide et impera.

Materially speaking, the government benefits in two ways: it protects itself from unwanted classes and it profits through exploitation of these classes for necessary labor. Siberia as the Soviet Arctic, and the boundless expanses of Soviet Central Asia, hide within themselves a vast natural wealth and the only way for the government to avail itself of this wealth is to populate these areas. It is a well known fact that deportation does solve this problem completely. Experience shows that the natural increase of deportees is lowered to a disadvantageous degree. This is due to climatic changes, unusually severe living conditions, and the large number of deaths among women and children, so much so that this is a deciding disadvantage to the rest of the political population of the remote Russian regions. These circumstances do not tend to decrease the number of deportees since the first aim of this act is to separate unwanted classes as a community protection measure, from the rest of the community.

The NKVD handles the deportation problem on a scale that surpasses anything done in the time of the czars. Voluntary emigration often takes place. Only a formality makes it voluntary. It happens that just before boarding the train, the deportees receive a declaration of voluntary emigration for signing which states that they are leaving of their own free will. This brought about a new phrase in Russia: voluntary deportation. 'Voluntary' because the deportee is leaving of his own free will and 'deportation' because he actually must leave. Fundamentally no one resists the persuasion of the NKVD to this 'voluntary' emigration for it is clear that if they refuse to leave they will be issued decrees forcing them into exile. They would rather be voluntary emigrants than compulsory ones for the plight of the latter is a great deal worse since all their activities undergo close observation by the NKVD and they also lose all political rights.

The remote regions of Russia are now inhabited by a large mass of voluntary and compulsory emigrants. Their material conditions are the same. As pioneers of Russian civilization they are obliged to build new colonies in the Siberian wilderness, to begin everything from scratch with only the primitive tools given them. Tailors build houses, mechanics cultivate the land, and women dig ditches for drainage. That is the picture of the material wealth of the deportees. Those who after a few years are still alive vegetate in pitiful farms or in collective houses. They labor in cooperatives organized by themselves or, if this happens to be an industrial camp, in mines or in factories, and when their ranks are thinned out by death a new party of deportees comes in which is a little more lucky since they come to a place 'all ready prepared'!

Their way of life can best be attested to by the existence of a system of trade. Money has practically no value. A shirt ~~maxim~~ may be traded for a sack of potatoes, used or torn underwear for a lamp wick.

25X1A

If the center of European Russia, Moscow itself, feels the dearth of essential articles, if speculation - even though it is unmercifully bounded - flourishes there on a scale not found in any capitalistic country, how can goods be shipped over the trackless Siberian tracts. So that there wouldn't be any misunderstanding let me state that the rolling stock of the Soviets is very good but it isn't adequate enough to serve the 21 million kilometers of the USSR. For this reason the new colonies are forgotten and their needs are placed on the bottom of the list for any appropriations. Only one thing comes regularly - propaganda. Protective measures have the task of education. In labor camps and in colonies Soviet propaganda strives to convert the deportees into enthusiastic Bolsheviks and followers of the teachings of Stalin.

A few comparisons and the daily papers can attest to the huge number of political Bolshevik deportees.

Over a period of 55 years, 1823-1887, the czarist government deported about 593,000 persons to Siberia. From 1939 to 1941 the Bolshevik government deported from occupied eastern Poland, which was ~~the~~ in the 'Curzon line', 1,692 thousand persons from which 990 thousand were scheduled for emigration. (These figures are from the official publication of the Polish authorities who are opposing Communism)

During the building of one port on the Black Sea the NKVD deported 40 thousand persons with 24 hours for 'strategic reason'.

Not too long ago official Soviet sources disclosed the liquidation of the autonomous Republics of Komi, Crimean Tartary, Kabardynk and Kalonyk. These republics had a population of a few million people. The majority were deported to Siberia.

It is not definitely known where the million people of the republic of Tannu-Tuva had been deported in the last year. (1948)

25X1A

CHAPTER IV

Railroad Transportation

The most common 'community protection measure' is the corrective labor camp (Ispравително Трудовој Лагер). Before I relate the living conditions in these camps it would be better to become acquainted with the techniques of transporting the accused from prison to the labor camp.

The most common means of transportation is travel by rail. The prisoners are brought to the station in prison vehicles or, if there is a scarcity of cars, they are forced to march to the depot. After the columns have been formed in front of the prison, the transportation officer (usually an NKVD man) warns the prisoners with the following: 'March one step backward for every two forward steps. The escorting guards have orders to shoot without prejudice'. This means, in effect, that one false step is reason enough for the escort to use rifles. In every instance where the marching columns halt, the prisoners are forced to sit on the ground without regard to mud, sand or snow. Under no circumstances can a prisoner stand up without first being commanded to rise. Besides guards, military dogs which are descendants of Alzac wolves, help watch the prisoners. These measures are always used in cases of marching prisoners.

Soviet Russia is probably the only country in the world that uses special prison cars in railroad transport. These prison cars retain the name of 'Stolypinka' from the czarist reign and differ from the ordinary railroad cars in having barred windows, hazy instead of clear window panes, and instead of ordinary walls a metal grill is used. The guards remain in narrow corridors which enables them to watch the activities of the prisoners. Since the number of these cars is limited, they are usually attached to passenger or freight trains.

The principle means of transporting large groups of prisoners (800-

25X1A

2000 persons) are covered vans fitted with primitive measures for human use. Two rows of wooden beds on different levels serve as sleeping places and a small hole in the floor fitted with a tin pipe is used for sanitary purposes. In the winter months a small iron stove in the center of the van provides the prisoners with a little warmth. On the platform of each van stands a guard. An separate van is used by the staff consisting of the commandant an NAVD man, his assistant, a non-commissioned mess officer, a sanitary officer and the rest of the transport crew including dogs trained to trail humans.

The individual convoy guards are linked by telephone to the van of the commandant and with each other. In the event of damage to the telephone equipment the guards use a bell alarm by pulling the cord that is strung near the ceiling of each van.

During the night the way is lighted by flares fired every few minutes and while passing through fields or forests the flares are fired one after another.

While the convoy halts, the walls and floors are pounded with wooden mallets to ascertain whether or not they have been weakened in an effort by the prisoners to escape.

In transit the daily ration for the prisoners is about one pound of bread or $\frac{1}{2}$ pound of biscuits, one herring or other salted or smoked fish, and each should receive about 2/3 ounce of sugar. However the sugar is usually kept by the men in charge of the convoy, according to orders each prisoner should receive one hot meal at least every third day. In general practice however, these orders are not followed. I traveled as a prisoner a few times. One of these trips lasted more than a month and I didn't have a single warm meal during the entire trip.

The greatest agony endured is thirst. The guards issue one or two buckets of water daily to each van holding about 50 persons. It doesn't

25X1A

go very far and is the cause of frequent fights or even death among the prisoners. If the transport is during the winter months many prisoners, tormented by thirst, lick the hoar-frost formed on the iron fixtures of the van. There can be no mention of washing or other bourgeois devices.

This is the typical transportation of prisoners. There may be some slight variations from the account given. In the event of a particularly heavy use of transports, the conditions are much worse since the vans are loaded with twice as many persons and it often happens that many persons suffocate due to the lack of ventilation, especially during the summer months.

Deportation Prisons

The first stage of deportation are the deportation prisons. This is a point where prisoners are massed together for the purpose of organizing convoys for transport to individual camps. There are several of these points in Russia. They are centrally located to be able to handle a certain number of prisoners. These prisons receive and discharge a few thousand persons daily.

After the prisoners leave a train they are taken in prison vans, or march on foot, to the deportation prison. This usually takes place at night. The NKVD cares about appearances and strives to do everything in secret. It isn't at all unusual for Russian prison vans to seem to be passenger busses. Drapes and curtains (sic!) present a good illusion. The inside however, is completely darkened and strongly safeguarded. After alighting from these cars the prisoners are taken to be questioned after which they bathe and have their clothes disinfected. Depending on the prisoner's luck he is quartered in a cell, or if the prison is overcrowded (and they usually are) he is quartered in the hall, in the loft, on the stairs, or even in the prison yard. In Nov. of 1940, together with about 5,000 other prisoners, I spent 3 weeks in the prison yard.

For the first time since his arrest does a political prisoner mingle with criminal convicts.

It is also noted that from the time of confinement in a deportation prison the prisoner lives by the rules of the jungle, the right of survival in an enclosure. From this time on survival will be the prisoner's one aim during transport, and in slave labor camps.

The administrators of these prisons keep an index of camps needing laborers and as soon as a large enough group is assembled they are organized into a convoy for further transport. For this reason a prisoner may

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-O-00926A003200020005-1
be in a deportation prison a few hours or a few months. This depends on whether transportation is ready for a certain group or whether a definite quota hasn't been filled and they have to wait for another shipment of prisoners. Frequently a long period of waiting in a deportation prison is due to faulty administration. In short, a prisoner may be forgotten, his papers lost, or the papers may have been included through error with those of another transport. There is a sealed envelope for each prisoner containing the records of the trial and the characteristics of the prisoner. The outside of the envelope carries a photograph of the prisoner, personal data, the c.c. art. number, and the length of the sentence. The envelope is opened only at the labor camp. If it happens that ~~the~~ ^{an} envelope is erroneously sent with the wrong transport, the prisoner remains at the deportation prison until the authorities uncover the error.

Deportation prisons are the beginning of the real torture of a prisoner. Sleeping on bare floors, stone steps, or in the rain or snow under the skies, stench and lack of space, the complete ignoring by the authorities of even the most primitive hygienic installations, the constant threat of being stripped to the skin by degenerate juvenile criminals and the brutality of the prison guards - all vividly oppose the nicely worded CC art. 9: "Community protection measures cannot have as it's goal the physical discomfort or the degradation of human dignity....."

25X1A

CHAPTER VI

Separation Camps

From deportation prisons the prisoner is sent by rail to a separation camp. The conditions of travel are the same as those previously mentioned. In the ~~eg~~ event that the separation center is too distant from a railroad, transportation by barge, ship, auto or marching is brought into use. Usually however, these separation centers are in the vicinity of a railroad right of way or at it's terminals. I had the 'luck' to become acquainted with all modes of travel.

Separation centers are, just as deportation prisons, points of organizing prisoners sentenced to concentration camps in specific regions. Labor camps are organized in Russia according to 'systems'. These systems are usually within the boundaries of the individual countries or regions. A Separation center serves one or more of these systems.

The labor camps send their employee requirements to a separation center and, depending on the number of persons in the camp, the separation center organizes a convoy for transport to the labor camp. These separation camps are nothing more than a type of slave market. I use the name appropriately for it is the most suitable and the closest to the truth. How else can you call the general practices of camps that send special delegates whose sole aim is to pick out the healthiest and most efficient workers. As an example I can cite my own case. I was assigned to a camp and was ready for departure when an engineer of another camp found out that I had stated that I was a drilling specialist. He therefore had arranged with my 'boss' for a trade, giving him another prisoner, a few packages of cigarettes plus my coat.

Separation camps therefore, function as labor exchanges and regulate the flow of labor.

The number of prisoners in a separation camp usually is in the tens

25X1A

of thousands. This necessitates separating the camp into zones, each zone being isolated from the others by barbed wire. This type of wire encircles the entire camp. At 100 yard distances stand high towers from military guards called 'Wochry' (Wojennoja Ochrana - subject to the NKVD) stand a 24 hour watch. The entire camp is bathed in strong reflected light all night. Dogs also help in guarding the prisoners. Prisoners are forbidden to loiter near the fences, and anyone found too close to the fence is immediately shot.

Prisoners are quartered in barracks, tents, or even under the skies. Due to the overcrowded condition of the camp it is impossible to house all the prisoners in covered buildings. Even during the winter months many prisoners live outdoors, sleeping on the snow covered ground around campfires. All types of prisoners are found in these camps so that there is no differentiation between political and criminal offenders.

The theory of might over right reigns in these camps. Guards that enter the compound arm themselves with long poles used to disperse a crowd of criminal offenders that are robbing or even murdering political prisoners and those 'from the west'. In many instances however, these incidents are overlooked.

Body lice become inseparable companions of the prisoners. It isn't at all unusual then for epidemics to occur and the death rate is unusually high. The prisoners dream of a quick release from these camps to a definite labor camp where organization and discipline, together with seizure of disquieting persons, presents a small guarantee of personal safety and the housing problem is a little more bearable.

25X1A

WATER TRANSPORT

Further transportation for the prisoner, depending on the circumstances, excluding the railways are: trucks, barges, ships or more marching.

The routes that are especially difficult for the prisoners to withstand are: a) Kotlas-Vorkuta, b) Krasnoyarsk-Dudinka, (c) Kharkov-Vladivostok, and d) Bukhta Nakhodka-Kolyma.

Kotlas lies at the point where the Vychegda and Dvina rivers meet. This is an enormous segregation center that supplies several camp system that exist between the Dvina river and the Urals. The most easterly system is Vorkutstroj with it's mining operations. The route Kotlas-Vorkuta is either by land following the course of the Vychegda river, crossing the Pechora river, following the ~~Ussa~~ ^{Ussa} river to it's source or by water transport using barges over the Dvina river to Archangel, then by ship across the White and Barents seas to the Naryan-Mar port which lies at the mouth of the Pechora river and then by barges up the Pechora and ~~Ussa~~ ^{Ussa} rivers.

In the case of travel by land the prisoners are shipped in closed freight cars or open flat-cars over the newly built railroad leadin to Vorkuta. This line was completed in April of 1943. Before it's completion transportation of prisoners was accomplished by combining land marches and water systems. Marching was resorted to all year round which accounted for innumerable cases of intense frostbite and eventual death. Almost every year severe blizzards caused the deaths of many transports consisting of thousands of prisoners with convoy. according to orders camp authorities are obliged to supply the prisoners that cross into the polar regions with special uniforms but in general practice the prisoners are usually clothed in their own outfits. You can

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1
imagine the plight of the 30,000 Jews that were in Iwow during May and June of 1941. The white death reaps a good harvest and is a constant companion of every transport.

The river route of Kotlas-Vorkuta is a great deal worse than the landed route. A barge holds about 2,000 prisoners jammed into it's hold. They are allowed on deck only during the day and that only with permission of the escort. This permission is granted only for physical conveniences. The lack of adequate facilities results in long queues of people standing in narrow halls for many hours. Even during the night many stand in line waiting their turn. Many that are unable to deny nature use a convenient corner which further pollutes the air and creates breathing difficulties. During the night bands of thieves rob their more peaceful companions, murdering those that give them opposition, and practice sex perversions. The guards do not take any notice of these practices since they share in some of the loot and barter with bread and cigarettes for the rest of it.

I know that what I have written may seem unbelievable, but we must realize the severe shortage of material in Soviet Russia. Every scrap has a big price on it. A well dressed foreigner cannot count on mercy from thieves or even administrative personnel who themselves organize or provoke attacks on better dressed Westerners. Sometimes political prisoners are capable of banding together and more or less successfully, defend themselves. In these instances real battles ensue among groups of prisoners and the mortality rate on both sides is high. I had participated in just such a battle on this route which resulted in about 20 deaths and about 100 badly injured persons. Unfortunately the majority of the victims were political prisoners who normally are unarmed while the bandits have some sort of weapon, usually a hand made knife.

Besides the plague of bandits, the prisoners are tortured by hunger,

thirst

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

25X1A

CONFIDENTIAL/US OFFICIALS ONLY

thirst, sickness, and heat. It seems paradoxical but it's nevertheless true that in the waters of the North sea, north of the polar circle, prisoners die en masse from heat prostration.

The complete water trip of Kotlas-Vorkuta, including stops in transit camps at Archangel and Naryan-Mar lasts months. This is in addition to the delays met in the event the Pechora river is frozen over. In these cases the escort cannot contact supply points, therefore, in order to stretch their food supply, they further decrease the already inadequate food rations. In these instances the marauding of the bandits reaches unheard of heights. They steal the food of their companions which causes the death by starvation of these unfortunate people. Corpses are thrown into the water.

The route between Archangel and Naryan-Mar has still another hazard. Ships frequently sink as a result of storms or icebergs.

The route Krasnoyarsk-Dudinka presents the same picture of the barges or ships on the Yenisy river. It is about 1,500 miles long.

Bukhta Nakhodka, near Vladivostok, is similar to Kotlas as a segregation center and serves all systems lying beyond the Amur river, Kolyma, Kamchatka peninsula, Sakhalin Island, the district of Yakutsk, and Verkhoyansk, and the Chukotka Peninsula. ~~map~~ Specially equipped ships ply these many sea lanes, making continuous trips to the many points served. Two routes are never to be forgotten by the prisoners. These are Bukhta Nakhodka-Magaden (on the Okhotsk sea) and Bukhta Nakhodka- Bering Strait - Arctic Ocean - and Lower Kolymsk.

Magadan is the second segregation point on the far East. It is the gate to the enormously big territory of slave camps which are densely situated on both sides of the Kolyma river. Due to the climatic conditions, (Verkhoyansk is the coldest region in the world), only the hardest criminals are sent there. In the Soviet mind a sentence to that point is

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-0092A003200020005-1
equivalent to a death sentence. The route leads through the Japanese and Okhotsk seas. During passage through the La Perouse Strait many prisoners perish from suffocation. This Strait lies between the Sakhalin and Yezo Islands and the Japanese had the opportunity to photograph Russian prison ships. They were probably quite well informed on the number and destination of these ships. It was the duty of the NKVD to keep secret the politics of the biological extermination of counter-revolutionary elements. For this reason all companionways leading to the decks and all portholes were hermetically sealed before reaching this strait to prevent escapes. It had previously happened that prisoners being released upon deck to use toilet facilities had noted the nearness of the islands and had jumped overboard. Japanese fishermen willingly helped them and obtained information from them which circumstances didn't enter into NKVD plans, therefore stringent methods were put into use which cost a number of lives but which made impossible the divulging of Soviet information beyond it's borders.

Further transportaion from Magadan to Kolyma is by trucks for a distance of 300 to 750 miles. Prisoners are forced to sit in cramped positions one against the other. Talking and movementnis prohibited. The slightest infractions of the rules is met by death at the hands of the guards. This territory is ruled by the harsh "Kolyma laws" which permit immediate reaction of the guards who understand only one way to obtain submission: aimed shots. It is natural to assume that frostbite and death are normal occurrences under the climatic conditions. Upon reaching the Kolyma river the prisoners are transferred to barges during the summer time, but during the winter (which lasts about nine months), the journey is completed on foot.

Transportation from Bukhta Nakhodka to the Chichodka Peninsula and to Lower Kolyma uses a longer sea lane since the ships have to sail

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-0092A003200020005-1

CONFIDENTIAL/US OFFICIALS ONLY

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1
through the Bering Strait and contend with ice floes in the Arctic
Ocean. There is no transportation by truck. The journeys from the
ports to the interior, in many cases several hundred miles, is made on
foot and the trail as usual, is strewn with corpses.

Living Conditions and Labor in Prison Camps

According to Soviet assumption, a correctional labor camp should serve as an educational institution. The educational measures are labor and propaganda. Labor is the topmost duty of every citizen and carries with it ennobling qualities so that every prisoner is obliged to perform either physical or mental labor, depending on his qualifications and physical capabilities.

On entering a labor camp, each prisoner undergoes a physical examination to determine his degree of fitness for labor. There are five official classes of adaptability:

1. Fit for all labor
2. Fit for 'moderate labor'.
3. Fit for light labor.
4. Invalid 1st degree.
5. Invalid 2nd degree.

Special orders specify the types of work to be performed by each class.

A different commission studies the prisoners' records to determine what type of work the prisoner did in civilian life and to separate the specialists.

In practice however, any recommendations placed in the prisoner's files by either commissions is disregarded and no difference is shown to the different classes, and specialists work with others on 'general jobs' (obszcizje raboty). The true standard for placing prisoners is the type of offense they are committed for, and the action of the commissions is only a formality. A political prisoner is seldom allowed to work in the administration offices of the camp which is usually in the hands of professional criminals. The only exception to this rule is

made when no other prisoner can be found to be capable to handle this function. In this case even a political prisoner may handle affairs dealing with camp administration.

An invalid 1st degree is obliged to do work inside the compound. Invalids 2nd degree are not obliged to work. These rules are fluid and can be changed by the administrators so that an invalid 1st degree is obliged to perform 25% of the normal daily output while a 2nd degree invalid is expected to produce 10% of what a healthy prisoner puts out.

This disregard of orders and the difference between theory and practice is brought about by: a) the specific atmosphere of Soviet life whose argument 'everything for the socialistic country of the laborer and peasant' nullifies the law of personal dignity giving the administrators the authority to practice abuses, b) the requirements of the Soviet party plans which must be completed without regard to choice of measures used by the manager. Camp authorities, on every rung of the organization, have plans forced on them which have to be completed if they do not want to share the fate of the prisoners they control, and since the plan can make this possible, they tolerate the maximum exploitation of the prisoners without regard to murderous consequences, without regard to cost.

A standard is set by the economic plan. In order to complete this enlarged plan it is necessary to set a standard as to what one prisoner or a brigade of prisoners should do to guarantee completion, or even to exceed the plan. No one seems to be concerned with the fact that the set standard is beyond the limit of human capabilities, that the human organism holds a limited amount of energy, that the standard is murderous.

The press and all propaganda stresses the completion of the economic plan throughout the entire nation. Factory and business directors

25X1A

of the state adopt by means of professional alliances the resolution to take the obligations upon themselves to see that the plan is completed beyond the expected standard. The same thing happens in labor camps. A practice has arisen to accept these resolutions, so that after the given time limit, widespread justifications for the unfulfilled promises could be published. Such justifications could be sent by a director of a business that hires it's employees but never by a director of a camp using prisoner labor, as such plans must be completed. If, in spite of the killing pace set for the prisoners, the plan is not completed, the director falsifies the report in order to avoid responsibility for sabotage (artl 58, par. 14 c.c.). He turns to this measure only when the fatalities are so great that he may in turn be under suspicion of 'conscious counter-revolutionary sabotage'. The position of a director of a labor camp is extremely difficult, it is always between the hammer and anvil, and is held for as long as he is able to carry on an intrigue. A commission from Moscow very rarely visits a camp. The director usually hears of an impending visit from trustful friends employed in the highest echelons of the organization, which enables him to put the camp into some semblance of order in order to satisfy the demands of the dignitaries who do not observe many things, and who choose to ignore a whole lot more.

The weight of the plan falls on the prisoners. Human material in Russia is squandered lavishly, in labor camps - prodigally.

The standard of labor is strictly prescribed. The table of standards takes into account even the minutest details. These tables are continuously changed to the detriment of the laborer, growing to unattainable heights, to the recorded heights of 'stachonites'. These records are fraudulently determined. Physically strong laborers, prepared for the test by the camp director & having the best tools, the

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-009 A003200020005-1
best material, and the most competent helpers, complete the standard of labor in a few days, which is enough to set a precedent to increase the general binding standard.

In order to for the prisoner to work, the quality and quantity of food served is in accordance to the percentage of work performed according to the standard.

The food in different camps is not the same. It depends on the place and time. In the past, there were instances when the menu was inadequate and hundreds perished from starvation. A reform took place in 1938-9. Prisoners that were in camps at that time tell that during this period no one had died of starvation. Even those that were on penalizing rations existed from scraps off the tables of the stachonites. The year 1940 however, saw a change for the worse and conditions became so bad that from 1941 deaths due to starvation and emaciation became a common and everyday affair.

A general rule governing the policy of nourishment is to keep the people half starved so that they would exert more energy when promises of better nourishment are given. Hunger, in these cases, is a very effective measure.

There are different degrees of rations. During 1941-43, Northern European Russia had the following list:

Prisoner category	Daily Rations
100-114% of standard and office clerks Less than 99% of standard and 2nd degree invalids	black about 13 ounces of bread and twice daily $1\frac{1}{2}$ pts. thin soup (400 grams)
100-114% of standard and office clerks	$1\frac{1}{2}$ lbs bread, morning - thin soup. noon - 2 oz white bread, evening- thin soup, bowl of barley.
115-123% of standard operations	Same as above plus $\frac{1}{2}$ lb bread more

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1
Same as above plus 1 lb. more
administrative personnel bread, occassionally some meat,
and vegetable oil.

Less than 33% of standard 9 oz. of bread and twice daily
and disciplinary cases cabbage or oat soup, practically
nothing more than water.

In 1942, probably due to the war, the food rations, particularly bread, suffered an abrupt 40% decrease with the result that a large percentage of prisoners began to die at a rapid pace. Certain camps that were doing war work (extraction of naptha oil, gold mining, building of underground and above ground hangars, etc.) felt only a small decrease of rations, but the scale of labor and hours increased. Evidently this increase was 'voluntary' as a result of a spontaneous resolution by some prisoners who wanted to contribute their efforts for their beloved Stalin and party. Those prisoners in the polar regions were fed a little better than those farther to the South. In this respect the all-powerful authorities created unusual pictures. e.g. two camps, lying about 2 klms. (1 1/3 miles) from each other, doing the same work, and having the same scale of labor receive different rations because one is in the polar circle and the other is outside the circle.

Practically speaking, the increase in physical fitness brought about by a better diet does not compare with the increase of effort and the calories expended in labor completely cancels the caloric increase of the daily rations. This causes the human organism to weaken, and finally emaciation. For this reason the more sensible prisoners do not attempt to increase their efforts at such a heavy price and if they cannot gain better welfare conditions through various subterfuges, they only expend enough energy so as not to be accused of sabotage. They have a valid

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1
reason for this for they know that whether they are Starvationites or not, the same fate awaits them - slow death by starvation.

Workers that completed more than 125% of the scale had the right to buy between two and three hundred grams of bread and 2 oz. of lard. They had the right, but not always the possibility. The lack of fats was felt by all strata of society and the guards, just as the prisoners, were limited to a certain amount of fat.

Prisoners that refuse to work (otkaz) are sent to the lock-up. Systematic refusal to work results in an accusation of sabotage and the punishment is death. After three refusals this paragraph is applied (for the prisoner shows no hope of correction - the verdict usually booms out).

Under these circumstances the prisoners rapidly approach a complete physical breakdown. Besides hunger, they are plagued by various diseases peculiar to the extreme North as : scurvy, nyctalopia, and others which are caused by the lack of vitamins and the extremely cold climate.

In general, among the prisoners exists a conviction that the only means of enduring a sentence to a labor camp is to be sent to one located in the interior zone where, through organized 'blats', living conditions are more bearable. A 'blat' is a specifically Soviet institution. It is a chain of contacts that guarantees mutual help and support at the expense of misusing and eluding prescribed laws. The Soviet adage 'Blat wysze Sownarkoma' (blat is higher than the Peoples Official Council) gives the best characteristic of this institution.

Others that are unable to organize a 'blat' usually come to the same end - death by emaciation. This occurs sooner or later, depending on the individual prisoner's state of health on entering a camp. When exhaustion is so great that the prisoner doesn't have the strength to work, he remains in the camp and is completely indifferent to the fact that he may

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

CONFIDENTIAL/US OFFICIALS ONLY

be sent to the lock-up. His only dream is to lie quietly in a warm nook where he wouldn't feel his slowly ebbing strength and the flickering of the flame of life. In camp jargon such persons are called 'approacher's from the word 'approaching' or nearing one's end.

The issue of clothing is particularly important in the Northern regions. Prisoners receive cotton jackets, and underclothes that are generally suitable against the cold. The gloves that are occasionally issued are entirely inadequate and are no protection against the bitter cold. Leather shoes are scarce and the prisoners do not at any time receive them. The NKVD and administrative personnel receive porous pigskin shoes and high boots having mixed sheep-wool and camel or cow hair which keep the feet warm. The prisoners normally receive awkward clogs made from tire coverings. These injure the feet and do not give any warmth. Sometimes they receive bast-shoes woven from linden. Normally the prisoner winds old rags around his feet as a sort of protection. These get soaked however, and a crust of ice forms over them. It isn't at all odd then that many hundreds of prisoners have their feet or fingers amputated as a result of severe frost-bite.

The housing of prisoners depends on the degree of 'colonization' of the camp that the prisoner is sent for labor. Generally the prisoners are housed in wooden barracks or in caves that are frequently unheated (paradoxical because the forest is all around), and those working in mobile units, i.e. laying track, building roads, etc., bivouac under the stars or in tents. On their own they often build themselves huts from branches.

The manner of establishing a camp is very simple. A group of prisoners is taken into the deep forest. At the beginning there is only a slab with the name and number of the camp. "Strojtie ziza" (build your future), orders the convoy commander, and the prisoners fell trees

25X1A

for building barracks in the meantime sleeping under the skies or in huts.

The lot of the mobile workers is particularly difficult. Constant traveling makes it impossible to organize a camp, conveyances very often bog down (snow drifts in winter, mud in summer), the field kitchen isn't in any condition to properly prepare hot meals, and the prisoner is deprived of a warm abode where he would be able to rest even for a little while after a hard day's work. Under such conditions you can't even dream about hygiene or any type of sanitation. The prisoners sleep around camp fires and frequently many contract pneumonia which their weakened bodies cannot fight. Normally, about 90% of those have pneumonia die of the disease.

During the summer months, besides scurvy and pellagra, hemocolitis, the prisoners suffer from stomach disorders brought on by the greedy and indiscriminate use of mushrooms and wild berries.

The medical welfare of the prisoners is in the hands of so called 'sanzast' which is a division of the sanitary dept. having it's bureaus in every camp. The organization of a division of health for a camp has been well planned. However, the prisoner's health and life in the camp as compared to the completion of the economic plan is of no importance so the NKVD limits the usefulness of doctors and force the laborers into one plan after another, and limit the amounts of medication. Doctors usually are prisoners. They try to alleviate their comrades' suffering but are hindered by the limitations. According to specific orders, a doctor has the right to designate not more than 8% of the prisoners as ill when in reality at least 80% need medical attention. The medication on hand isn't too much help since it consists of aspirin and iodine with an occasional shipment of cod-liver oil and Vitamin C. A camp doctor can suggest that a prisoner be sent to a special camp called 'sangorodok'

25X1A

(sanitary town) where the conditions are better than in the camp infirmary. These hospitals are usually clean and warm. The food is prepared with enough fats and the doctors are usually learned men whose fate and Stalin's order had placed them in prison.

The theoretical aim of the camps, as I have already stated, is to educate through work and propaganda.

Everybody is obliged to labor but only the elect benefit from propaganda. In this case there is a sharp line drawn between political and criminal offenders. From the fact that camp authorities hold propaganda speeches only ~~from~~ for the common prisoners, the conclusion can be drawn that the Soviet authorities do not believe a political prisoner can be induced to mend his ways, and from the beginning they feel that he is lost completely and as such, it is only right that he die in a camp. Because of this, it never happens that a 'kintrik' (in camp jargon, a political prisoner) is free to leave a camp after serving his sentence. Just a few days before he is to leave, he receives notification that the OSSO has reached a new decision and the prisoner receives another 5 or 8 year sentence. The whole setup for 'counter-revolutionists', the system of chicanery, and the limited rights generally guarantees death before the first term is finished and only individuals of unusual health and strength or those exceptionally clever can have the personal satisfaction of receiving the information of a new verdict.

The preparation of propaganda in the camps is handled through the cultural educators (Kulturno Wospitatielna Czast). The work of this group is broken down into the following classes:

- a) agitation for more effort in labor
- b) educational propaganda influencing criminal offenders, and
- c) organizing theatrical and recreational pageants.

Every camp is plastered with huge propaganda posters carrying mottos

25X1A

and the golden thoughts of Engel, Lenin, and above all, Stalin. These posters call for greater efforts of labor, for 'socialistic professional cooperation', the development of stachonite activities, etc., and with extolling the happiness and freedom of the Soviet citizen (even Here!) Large bulletin boards list the percentage of the set scale performed by different brigades and various 'stachonites'. From the camp gazette (posted on the wall) the prisoner has the opportunity to read the names of all prisoners refusing to work and at the same time he can learn of the dismal conditions of the life of the English and American laborers who are exploited by the Capitalists. This type of propaganda is accessible to all.

The education of criminal offenders hinges on acquainting him with the peculiarities of his actions which, when compared to 'counter-revolutionary acts' of the political offenders, are attempted to be shown by the KWC as temporary forgetfulness. Similarly, a corrupted picture is painted of the caluminous crime of the 'kontriks' and it appears generally dark for this group of prisoners. The KWC which stands ready to serve the NKVD 'sekretnoj czasti' recruits from the ranks of the criminal offenders a host of confidantes by deluding them with pictures of better living conditions and promises of shortening their sentences. Since in the comprehension of the NKVD a citizen is a loyal and useful member of society when he knows how to worship Stalin, it is blind to the faults of the Structure, and what is more important, to informers. It is seldom that a criminal offender leaves a labor camp before his sentence is served and becomes a 'really valuable' Soviet citizen, having received a previous 'education' which guarantees him the above mentioned virtues.

The last duty of the KWC - organizing theatrical and recreational pageants - stands at the lowest level. The essence of the theatrical presentations are shallow and are written by worthless agitators as so

25X1A

much propaganda. If the play is presented in a clubroom - usually housing prisoners - the only benefit that the offender can gain from the performance is, when under cover of darkness, he can steal some clothing from a fellow prisoner. From time to time Soviet films which commend the Soviet life are shown in these clubrooms. It is claimed that camps having women inmates also arrange dances. I was unable to confirm this information.

Since I made mention of women, I think it's just as well to mention sex life in the camps. It exists ~~excessively~~ to the point of degeneracy in all-male or all-female camps. It doesn't mean that in coeducational camps the sex life was sound, it was only a little more normal.

The favours of women were gained mainly by the administrators of the camp since they were able to pay for such services. Normally, the women became mistresses of the more prominent criminals, but this didn't prevent them from accepting money from the other criminal offenders. Political prisoners rarely met the camp prostitutes for the simple reason that they were too weakened and emaciated to take much interest in such things. If that weren't reason enough, then the Soviet prostitute feels it to be her duty not to cater to an 'enemy of the people'. In camp jargon women are known as the criminals 'delirium'.

The picture of camp life wouldn't be complete if we had omitted the role played by the 'urks'. This name is applied to thieves and bandits that have been waifs of the streets and have been associated with crime from childhood.

'Urks' are the plague of every prison and camp. In camps...they are organized in special labor brigades, they act with a great deal of liberty and steal and plunder from the more peaceful prisoners. The whole administration of the camp is in their hands. All officials, from labor leaders to the chief administrator, foster the 'Urks'. Adequately edu-

25X1A

cated by the KWC and indebted to it for their lucrative functions, they terrorize the other prisoners. This is especially rough on the political prisoners. Urks allow only their colleagues to enlist in a 'blat' and for that reason only a very few political prisoners can avail themselves of the benefits of a 'blat'. Those who are not in a blat or those who do not know how to get into the good graces of the Urks will seek justice in vain from the camp authorities. Such is the role of the 'Urks' on the side of the NKVD that they constitute a grave menace to the millions of 'counter-revolutionists' that in every instance of rebellion, they are eliminated by the 'Urks' without the slightest scruples.

"Urks" are the elongated arm of the NKVD in the camps which presents this curious paradox: criminals stand as guards of Soviet justice.

25X1A

USSR - PEOPLES PRISON

CHAPTER I

'It Is Only a Change in Name'

Lenin's words, "Russia - people's prison", didn't lose any of their reality today after more than 30 years of rule by the 'labor-peasant council'.

Czarist Russia, expanding it's empire, encountered opposition from the nations standing in the way of expansion. This opposition was broken by the Russian armies and authority over the occupied territory was taken over by czarist administrators. Using the unfailing threat of prison and deportation, they held the conquered peoples under ruthless submission.

Lenin, speaking of the 'peoples' prison', had in mind the oppression of the minority groups by the Russian empire, expressing himself from a deportation prison.

If there is any change today, then it is only in the scale of terror and rankness in the smouldering class war of the penitentiary system. Where the czarist regime was ruthless against tens of thousands who were political adversaries of the 'autocracy', Stalin's regime destroys millions.

This assertion isn't an ostentatious phrase. By political adversaries we mean not only opponents of the social structure but also the representatives of the individual nations resisting Russian rule. I had already mentioned in the preceding chapters about the ruthless fight against national ideals of the people living in territories ruled by the Bolshevik regime. I had also mentioned the mosaic makeup of many nationalities in prisons and camps. These clues give some picture of the true 'brotherhood of man' that is praised and glorified by Soviet Propaganda.

It is difficult for me to give an accurate proportional percentage

25X1A

of the nationalities making up the prison population. One thing is certain, the greatest number of prisoners is recruited from the so-called minority nations. A phrase that is most unusual in the state is "Equality of nations".

I made the statement that the Soviet regime destroys millions of it's political opponents. This statement isn't an exaggeration and can be verified to a relative figure from direct comparisons.

Russia remained true to it's traditions. This observation was made in 1920 by Joseph Conrad when writing the preface to his novel 'In the Eyes of the West'.

"These revolutionists aren't able to perceive that all they can attain is only a change in name. Russians are oppressors and oppressed; the world again sees the truth that a tiger cannot change it's stripes or a leopard it's spots."

In his extensive work entitled 'Corporal Punishment in Russian Judicature and Administration', the Russian martialis N. Jewreinov states:

"A Russian is too conservative to rid himself of deep-rooted spiritual convictions only because public opinion created a break in punishment estimates".

Immediately after the revolution, the government council solemnly renounced the czarist method of imprisonment. Convictions were cancelled and houses of correction took the place of prisons. This idyll didn't last very long. It took only one attempt on Lenin to answer the 'White Terror' through the 'Red Terror' on a much greater scale. Czeka, GPU, and then the NKVD developed to the point of absurdity and when there was a lack of true enemies of the revolution, since they had been utterly destroyed in the first 10 years of the existence of the USSR, the heavy bureaucratic machine of Stalin's 'autocracy' seized apparent 'leftist'

25X1A

and 'rightist' enemies and even communistic enthusiasts whose only crime was the fact that they could perceive the warped ideal for which they suffered.

Psychology of 'capitalistic environment', continual fear of an armed bourgeois crusade against the USSR, the mania of espionage persecution, impetuous rebuilding of an organization and the impulsive resistance of a farmer to leave his land commanded a search for, and extermination of, ever new 'enemies of the people'. Waves of mass arrests swept the country with the force of a hurricane, prisons became overcrowded, and labor camps were developed. Soviet authority didn't create any new methods in the penitentiary system. It took the line of least resistance. It added on to the institutions inherited from czarist Russia, only improving the organization, and above all, changed the name. Hard labor was named 'correctional labor camp' and prisons 'homes of compulsory labor'. In some cases however, there is a return to the old nomenclature, and today, just as during the reign of the czars, there exists 'dungeons' and 'deportation'. The term 'correctional labor camp' was kept ~~int~~ without change and the fact is that the contents and scope remain the same, that is, extermination. Extermination on the enormous Soviet scale.

For "cruelty, spiritual destruction, and the state of moral collapse of a particular nation can be explained through the measures that helped to keep it on a leash through the past century of it's historical existence which, through habit, became for it a second nature." (N. Jewreinow.)

25X1A

- 102 -
CHAPTER II

Camp Organization

Correctional labor camps take up more than 1/2 of the land in the USSR.

These camps perform an important role in the economic plan, they build roads, railroads, dig canals, mine coal and other types of ore, extract naptha oil, build factories, etc.

It's a well known fact that there aren't many phases in the economic life of the country in which prisoners did not labor. Huge enterprises are built on slave labor just as the irrigation system of ancient Egypt was built by slave labor. On the other hand these facts emanate from, and are tied in with penitentiary politics which puts a great number of persons at the disposal of the various state organizations. The violent rebuilding of the USSR community structure, forecast and realized in the framework of each 5 year plan, results in overcrowded prisons and labor camps. From the point of view of Soviet politics, the benefit of this is that doubtful elements are denied contact with the rest of the community; it is separated, but for state economic effects it seems rather disadvantageous for it denies a great number of factories many laborers which causes critical delays in completing a plan. In reality however, this handling of personnel helps solve the unemployment problem (eventually, all unemployed become prisoners), but the transfer of labor personnel from all over the country to the newly created camps in the North creates a grave transportation problem. Under these circumstances the weight of making up the deficit in the economic plan falls on the prisoners. It is beyond a shadow of a doubt that these camps are a negative phenomenon in Soviet economics but it doesn't alter the fact that their main task is to help rebuild the USSR structure, hence the ruthless biological extermination of undesirable elements.

Observing the growth of Soviet state slave labor by prisoners, we

25X1A

come to the conclusion, that in spite of adapting such radical measures of correction, the number of prisoners in Russia doesn't lessen but grows greater and penal politics doesn't disclose tendencies to restrain mass arrests.

It is characteristic that as camps in Russia grow, they should become more decentralized, but the opposite is true: they tend to spread inward to the center of the USSR. The process of separating 'counter-revolutionists' began from the Northern Islands and the New Land. In proportion to the ever growing ranks of prisoners, new camps have been founded, beginning from the far North to the South, and tightening the circle around the center of the USSR. These are labor camps in the vicinity of Moscow and Leningrad, and powerful systems were built in Kujbysz and Bak.

This centralization of camps is also caused by economic reasons. Shortage of labor in the center of the country created the necessity of replacing voluntary employees with the slave labor of prisoners. Already today the economic plan weighs heavily on the policy of camp establishment and just as in prisons, deportation, and 'camps' the atmosphere is heavy on the central life of the free citizens for it is a rare Russian family that hasn't at least one of its members sacrificed to the 'corrective' measures of Soviet justice.

The highest institution in the Soviet system of prison camps is the 'Gulag'. It is the contraction from 'Glawnoje Uprawlenije Lagierej' - Chief Camp Administration. It officiates in Moscow.

Gulag is an institution arising from the Peoples Commission on Internal Affairs and is subject to it. It is divided in groups for specific tasks such as: planning, personnel handling (oddiel kadrow), security, administration, sanitation, culture, education, etc. These divisions are maintained in every degree of camp organizations.

25X1A

The entire system of camps is divided into specific camp systems

which handle a certain phase of the economic plan. e.g. the camp system of 'Bezymienlag' (an unnamed camp) in the Kujbysz region has been assigned the task of creating a large war production center.

Camp systems are divided into regions - (otdielenija). Those connected with railroads encompass from a few to about 20 camps ('lagpunktow') excepting the mobile camps of working columns. A 'lagpunkt' has from a few hundred to a few thousand prisoners - a column from 800 to 2,000. e.g. Lagpunkt No. 4 in Uchtimlag had about 6,000 persons at the time Nr. 11 Promngrup had about 700.

The larger camps have several 'branches called 'podkomandirowka' (sub-committee).

Prisoners are divided into labor brigades of about 25 people or sometimes more (40-60). At the head of each brigade is the brigadier-prisoner who directs the work to be done, together with the counter who calculates the percentage of work completed. The brigade works under the supervision of an armed guard (strellok), who has the power of life or death over the prisoners.

It is proper to mention, that just as all Soviet life, camps suffer from excessive bureaucracy. Beginning from camp points down to 'otdielenije' and the system management, a multitude of different types of 'planners', 'statisticians', 'bookkeepers', 'work accountants', etc, work in the various offices. The chart gives a typical pictur of the organization of camp administration.

Administrative functions in the camps are handled by the prisoners. Only the head of the camp and the director of education are free. As I previously mentioned, criminals have priority for these positions.

Besides the management, there is the large personnel of the NKVD which has charge of guards and who preside at trials in the event a

prisoner commits a new offence.

On the map of camp systems in the USSR, which is added to this publication, are listed only the systems whose names have been verified and about which I have been able to give many details. (I have been in some of them).

I emphasize that these are 'systems' and not individual camps. Each system numbers a few hundred camp points. The territory encompassed in a system is not inhabited by prisoners exclusively. The farther South the system lies, the more camps are mixed with settlements in which live the free people. Free in the Soviet system of freedom.

The map is based on original Soviet documents and supplemented by statements of prisoners who had been in labor camps from 1939 to ~~1946~~ 1942.

It isn't complete; it is based only on accessible documents. Labor camps that are not included in the camp systems, but which are found all through Western and Southwestern Russia, Caucasia, and the Republics of Central Asia are not listed on the map. Moscow, which has a number of camps, is not listed, neither are the railroad construction camps which range from the Western town of Tajszek to Vladivostok listed on the map. The map doesn't show many camps because there isn't 100% proof of their existence.

Besides the camp systems mentioned, there are many camps - as I already mentioned - numbered in the hundreds, which are under direct administration of the NKVD and do not enter the general camp systems. e.g. in the territory of Donbas, every business venture, every mine, employs prisoners from camp points. This same picture is observed in all of Russia; in quarries, airports, road, and fortification building, etc.

Factories which are built near the prisons, utilize prison labor

25X1A

(e.g. the wrought iron furniture company in Odessa). Moreover, there exist a number of work colonies which are designated for youthful offenders, who after receiving sentence, are subject to special educational measures according to established rules in 'labor colonies of correction for juveniles'.

In the central prisons of Odessa and Charkov, I have seen hundreds of youths between the ages of 7 (seven) and 16, grouped in separate cells. The degeneracy of these poor creatures is beyond human comprehension. Each group is under the care of a leader picked from the group of criminal offenders, many of which are professional bandits. When minors receive sentence they are placed in labor colonies where they are obliged to work and study under NKVD instructors. In most cases, they leave these colonies as the most tyrannical exponents of the bolshevik system. Many soldiers in the internal detachments of the NKVD are graduates of child labor colonies. They are extremely proud of this. I must add that former inmates of these colonies are the most cruel and ruthless in regard to political prisoners.

From the list of camp systems, it is interesting to note the grouping of more than 30 camp points in the region of Potman (in Marijan USSR), which are for women. Another known group of camps for women is in the Akmo in region. There are about 25 camp points which are organized exclusively for 'wives.' The term 'wife' in this case doesn't refer to the marital status of the women, but is a type of offense. The women in these camps belong to the families (mainly wives and daughter) of the Trotskyites that have been sentenced on the strength of Art. 58, par. 1 (dealing with collective responsibility) and Art. 16 (analogies). Conditions in these camps are a little more bearable since the majority of the prisoners are intelligent and do not tend to harass one another, and try to make the best of their community life.

Approved For Release 2002/07/24 : CIA-RDP80-005A003200020005-1
The system of camps near Magadan rates special attention. It holds

a few thousand - cripples. These are prisoners who have lost an arm or a leg as a result of the severe cold in Northern Kolyma and other camps.

In the narration, I mentioned only the main economic tasks of the camps. Every camp also handles other tasks which are tied in with self-dependence such as: farming, livestock breeding, building of barracks, administration, etc.

The listing of camp systems in the territories of Central Asia, and in particular, Northern Siberia, isn't an easy task. It is known, as an example, that Northern Siberia is considered off limits, and even native hunters, living in this area, have specifically fixed boundaries beyond which they dare not enter. I am far from being able to dream of the fantastic conjectures on what is being done there. This region is marked with a question mark on the map. I tried to unravel this riddle through questioning hundreds of prisoners, either Russian or Polish. I know that this region isn't as deserted as it would seem to be. It is known, ~~that~~ that during 1940-3, a railroad was built there which was to link Murmansk (through Archangel and Vorkuta) with the Bering Strait. This is only a presumption, but since trials to organize a sailing route over the Arctic Ocean failed, the Soviet authority may have decided to build a railroad for strategic purposes. This would also indicate the building of a railroad branch linking ~~K~~ Jakuck-Magadan-Czukczow peninsula-Bering Strait.

One other thing: these territories are the closest - by air - to America, and the aviation activities in these areas is unusually great.

25X1A

Approved For Release 2002/07/24 : CIA-RDP80-00926A003200020005-1

CONFIDENTIAL/US OFFICIALS ONLY

CHAPTER III

Number of Prisoners

The question is: how many of the USSR citizens that live in camps are prisoners? Publications of all types list these numbers variously and very inaccurately. Generally the numbers given are from 10 to 30 million.

Accurate figures can only be given by the 'Gulag'. We can only avail ourselves of arithmetical possibilities. Soviet prisoners intimate that during the period of intense arrest (1936-37) there were more than 40 million prisoners in Russia. This figure is undoubtedly greatly exaggerated, but it isn't less characteristic that Polish prisoners who were deported to Russia in 1939-42 were confronted with the statement of guards who were proud of the greatness and might of the USSR to the effect: "Poland has a population of about 35 million while here in the Soviet alliance we have that many prisoners".

Let's try to establish, through the use of round figures, the basis of arriving at a sound figure. A camp point has an average of 1,200m prisoners (my figure is small). A zone (otdielenije) averages about 10 camp points, and a camp system is made up of at least 20 zones (again I use conservative numbers!) $1,200 \times 10 \times 20 = 240,000$.

This estimate is more than conservative. I know for certain that the system of 'Bezymianlag' had about 300,000 prisoners in 1942, and there were at least 2,000,000 in Kolyma. As a precaution however, let's say that the average system has a population of 250,000. On the map I have indicated 38 systems. The round figure for the camps listed amounts to 9,500,000 persons!

I emphasize: this is only in the systems that I know about and that I have proof of their existence. One of the reliable publications tells of 136 systems giving their names and locations. If we add to these the

25X1A

hundreds of camps not encompassed in a system and the number of prisoners under investigation, it won't be an exaggeration to state that the figure of 15,000,000 is a really conservative estimate.

Compared to democratic nations, this number is unproportionally high.

Let's look at the figures of the 'bourgeois' democratic nations.

COUNTRY	POP.	PRISONERS			%
		M	F	TOTAL	
U.S.A. 1948	147,000,000	145,976	6,588	152,564	.11
Italy 1938	43,980,000	52,018	5,553	57,571	.13
Switzerland 1938	4,186,000	1,953	382	2,335	.06
France 1931	40,835,000	17,699	2,708	20,406	.05
Poland 1938	34,500,000	62,367	5,641	68,008	.19
USSR	194,000,000	-	-	15,000,000	7.73

Every 13th citizen of the USSR is a prisoner!

And that is the truth!!!

-8

25X1A

PART VI

CONCLUSION

The goal of the communists is to cause a revolution and to create a world organization based on communistic ideology. Communists under the banner of Trotsky, as well as those under Stalin, are striving for that goal. They believe that the end result of the war between communism and democracy will be the reign of communism over the world.

Together with this communistic ideology, the communist laws will be enforced.

I have shown you what these laws are; as they are on paper, and as they are in practice.

If they appeal to anyone let them support communism, let them fight for the realization of a paradise on earth.

ILLEGIB

Will you?

25X1A